



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***NOVEMBER 4, 2002  
12:15 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**1. Call to Order--Roll Call.**

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

P. 9

A communication from the City Attorney requesting that Council convene in a Closed Meeting to consult with legal counsel on a matter of pending litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

P. 10

**THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE IMMEDIATELY RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, FOR A BRIEFING ON TECHNOLOGY.**

P. 11



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***NOVEMBER 4, 2002  
2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**1. Call to Order--Roll Call.**

The Invocation will be delivered by The Reverend Maurita J. Wiggins, Pastor, Valley Community Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

**NOTICE:**

Meetings of Roanoke City Council are televised live on RVTN Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, November 7, 2002, at 7:00 p.m., and Saturday, November 9, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.**

**THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [WWW.ROANOKEGOV.COM](http://WWW.ROANOKEGOV.COM), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.**

**ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT [WWW.ROANOKEGOV.COM](http://WWW.ROANOKEGOV.COM), TO OBTAIN AN APPLICATION.**

## **2. PRESENTATIONS AND ACKNOWLEDGMENTS:**

Recognition of Shining Star Award recipients.

Proclamation declaring Friday, November 15, 2002, as America Recycles Day. P. 12

## **3. CONSENT AGENDA**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

C-1 Minutes of the regular meeting of Council held on Monday, September 16, 2002, and recessed until Wednesday, September 18, 2002. P. 13

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 Minutes of the City of Roanoke Audit Committee held on Tuesday, October 15, 2002. P. 61

RECOMMENDED ACTION: Receive and file.

C-3 A communication from the Honorable Clifford R. Weckstein, Judge, Twenty-Third Judicial Circuit of Virginia, transmitting the 2002 Report of the Board of Equalization. P. 65

RECOMMENDED ACTION: Receive and file.

C-4 Qualification of the following persons:

Stark H. Jones as a Director of the Industrial Development Authority of the City of Roanoke, for a term ending October 20, 2006;

Betty Branch as a member of the Roanoke Arts Commission, for a term ending June 30, 2005; and

Robert B. Manetta as a member of the Architectural Review Board, for a term ending October 1, 2006.

RECOMMENDED ACTION: Receive and file.

## **REGULAR AGENDA**

### **4. PUBLIC HEARINGS: NONE.**

### **5. PETITIONS AND COMMUNICATIONS: NONE.**

### **6. REPORTS OF OFFICERS:**

#### **a. CITY MANAGER:**

BRIEFINGS: NONE.

#### ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending acceptance of certain property rights for the Florida Avenue Drainage Project. 

|                 |
|-----------------|
| P. 70;<br>O. 74 |
|-----------------|
2. A communication recommending acceptance of the proposal submitted by Tectonic Engineering Consultants, P. C., for development of a vulnerability assessment, emergency response/operating plan, security enhancement and design, or a combination of items listed for the City's water system, in the amount of \$89,500.00. 

|                 |
|-----------------|
| P. 76;<br>R. 78 |
|-----------------|
3. A communication recommending authorization to execute Amendment No. 3 to the 2000-01 Community Development Block Grant Funding Administration Agreement with the Roanoke Redevelopment and Housing Authority, to provide funds for continuation of infrastructure improvements associated with the Lincoln 2000/HOPE VI Community Revitalization Program Project; and appropriation of funds. 

|                            |
|----------------------------|
| P. 79;<br>B/O 84;<br>R. 86 |
|----------------------------|

4. A communication recommending execution of a grant agreement with the Virginia Department of Motor Vehicles for a Driver/Occupant Awareness Grant, in the amount of \$15,000.00; and appropriation of funds. P. 87;  
B/O 89;  
R. 90
5. A communication recommending amendment to the Weed Abatement Ordinance. P. 91;  
O. 93
6. A communication recommending rejection of all proposals received in connection with the operational management of the historic City Market Building. P. 96;  
R. 98
7. A communication recommending acceptance of the proposal submitted by Southern Software, Inc., in connection with mobile incident based reporting for police applications, in the amount of \$83,595.00. P. 99;  
R. 102
8. A communication recommending execution of a contract with Printrak International to upgrade the City's Computer Aided Dispatch Application System, in the amount of \$129,966.00. P. 103;  
R. 105

b. DIRECTOR OF FINANCE:

1. Financial report for the month of September 2002. P. 106

## 7. REPORTS OF COMMITTEES:

- a. A communication from Samuel F. Vance, IV, Attorney, representing the Industrial Development Authority of the City of Roanoke, requesting adoption of a measure approving issuance of bonds by the Industrial Development Authority for the benefit of Virginia Lutheran Homes, Inc. P. 124;  
R. 134

## 8. UNFINISHED BUSINESS:

- a. An ordinance to provide standards for a new dwelling, new accessory building or expansion of an existing dwelling in the ND district; establishing the depth of front yards; and to provide parking in the ND District. O. 136

- b. An ordinance zoning properties located within the Melrose-Rugby neighborhood, generally bounded by Interstate 581, Lick Run and Andrews Road on the north, Melrose and Orange Avenues on the south, Tenth Street on the east, and Lafayette Boulevard on the west, as ND, Neighborhood Design District overlay.

O. 142

**9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**

**10. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

**11. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**12. CITY MANAGER COMMENTS:**

**CERTIFICATION OF CLOSED SESSION.**

**THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED ON THURSDAY, NOVEMBER 7, 2002, AT 8:30 A.M., FOR A TOUR OF THE ROANOKE REGIONAL FIRING RANGE SHOOT HOUSE, LOCATED AT INTERSTATE 581 SOUTH, EXIT 132, OFF TWINE HOLLOW ROAD.**

***MOTION AND CERTIFICATION  
WITH RESPECT TO  
CLOSED MEETING***

**FORM OF MOTION:**

**I move, with respect to any Closed Meeting just concluded, that each member of City Council in attendance certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by the members of Council in attendance.**

**PLEASE NOTE:**

- 1. The forgoing motion shall be made in open session at the conclusion of each Closed Meeting.**
- 2. Roll call vote included in Council's minutes is required.**
- 3. Any member who believes there was a departure from the requirements of subdivisions (1) and (2) of the motion shall state prior to the vote the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of City Council.**



**RALPH K. SMITH**  
Mayor

**CITY OF ROANOKE  
OFFICE OF THE MAYOR**

215 CHURCH AVENUE, S.W., ROOM 452  
ROANOKE, VIRGINIA 24011-1594  
TELEPHONE: (540) 853-2444  
FAX: (540) 853-1145

November 4, 2002

The Honorable Vice-Mayor and  
Members of the Roanoke City Council  
Roanoke, Virginia

Dear Members of Council:

I wish to request a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph K. Smith". The signature is stylized with a large, sweeping "R" and "S".

Ralph K. Smith  
Mayor

RKS:sm



**WILLIAM M. HACKWORTH**  
CITY ATTORNEY

**CITY OF ROANOKE**  
**OFFICE OF CITY ATTORNEY**  
464 MUNICIPAL BUILDING  
215 CHURCH AVENUE, SW  
ROANOKE, VIRGINIA 24011-1595

TELEPHONE: 540-853-2431  
FAX: 540-853-1221  
EMAIL: [cityatty@ci.roanoke.va.us](mailto:cityatty@ci.roanoke.va.us)

**ELIZABETH K. DILLON**  
**STEVEN J. TALEVI**  
**GARY E. TEGENKAMP**  
**DAVID L. COLLINS**  
**HEATHER P. FERGUSON**  
ASSISTANT CITY ATTORNEYS

November 4, 2002

The Honorable Mayor and Members  
of City Council  
Roanoke, Virginia

Re: Request for closed meeting

Dear Mayor Smith and Council Members:

This is to request that City Council convene a closed meeting to consult with legal counsel on a matter of pending litigation, pursuant to §2.2-3711.A.7, Code of Virginia (1950), as amended.

With kindest personal regards, I am

Sincerely yours,

A handwritten signature in dark ink, appearing to read "William M. Hackworth".

William M. Hackworth  
City Attorney

WMH:f

cc: Darlene L. Burcham, City Manager  
Mary F. Parker, City Clerk



**CITY OF ROANOKE**  
**OFFICE OF THE CITY MANAGER**

Noel C. Taylor Municipal Building  
215 Church Avenue, S.W., Room 364  
Roanoke, Virginia 24011-1591  
Telephone: (540) 853-2333  
Fax: (540) 853-1138  
CityWeb: [www.roanokegov.com](http://www.roanokegov.com)

November 4, 2002

Honorable Ralph K. Smith, Mayor, and Members of City Council  
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Technology Briefing

This is to request space on Council's regular agenda for a 30-minute briefing on the above referenced subject.

Respectfully submitted,

A handwritten signature in black ink, reading "Darlene L. Burcham".

Darlene L. Burcham  
City Manager

DLB:sm

c: City Attorney  
Director of Finance  
City Clerk

Office of the Mayor

CITY OF  ROANOKE

# Proclamation

**WHEREAS,** *America Recycles Day is a national event designed to invigorate the commitment of citizens to recycling and purchasing products made with recycled materials; and*

**WHEREAS,** *the City of Roanoke has offered free "commingled" curbside collection of mixed paper and cardboard, and glass, plastic, aluminum cans and "tin" cans since 2001; the percentage of citizen participation in the collection program has grown from 7% to 30% in one year, with a goal of 60% participation in the recycling program by 2007; and*

**WHEREAS,** *5 important reasons why Americans should buy Recycled include: Saves Natural Resources - by producing products from recycled materials, citizens conserve land and reduce the need to drill for oil and dig for materials; Saves Energy - it takes less energy to produce recycled products; Saves Clean Air and Water - producing products from recycled materials create less air and water pollution than products from virgin materials; Saves Landfill Space - landfill space is conserved when recycled materials go into new products; Saves Money and Creates Jobs - recycling and remanufacturing activities account for 1 million jobs and \$235 million in annual revenues; and*

**WHEREAS,** *the number of curbside recycling programs and recyclable drop-off centers have grown dramatically in the United States over the past 20 years; in 1999, recycling and composting activities diverted approximately 64 million tons of material from landfills and incinerators, which represents 28% of all waste; and*

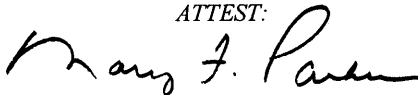
**WHEREAS,** *last year, nearly 1 million Americans in 46 states participated in America Recycles Day on November 15, by recommitting to reducing waste, recycling and choosing recycled products.*

**NOW, THEREFORE, I,** *Ralph K. Smith, Mayor of the City of Roanoke, Virginia, encourage all citizens, schools and businesses to participate and support the efforts of saving the environment by submitting their "Pledge Card" during November 4 - 14, 2002, and, do hereby proclaim Friday, November 15, 2002, throughout this great All-America City, as*

**AMERICA RECYCLES DAY.**

*Given under our hands and the Seal of the City of Roanoke this fourth day of November in the year two thousand and two.*

ATTEST:



Mary F. Parker  
City Clerk



Ralph K. Smith  
Mayor

**REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL**

**September 16, 2002**

**2:00 p.m.**

The Council of the City of Roanoke met in regular session on Tuesday, September 16, 2002 at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

**PRESENT:** Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

**ABSENT:** None-----0.

**OFFICERS PRESENT:** Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Pamela P. Crump, Pastoral Assistant for Christian Education, High Street Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

**PRESENTATIONS AND ACKNOWLEDGMENTS:**

**PROCLAMATIONS:** The Mayor presented a proclamation declaring the week of September 15 - 21, 2002, as National Rehabilitation Awareness Week.

## **CONSENT AGENDA**

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

**MINUTES:** Minutes of the special meetings of City Council held on Friday, July 26, 2002, and Tuesday, July 30, 2002; the regular meeting of City Council held on Monday, August 5, 2002; and a meeting of the Roanoke City Council Personnel Committee held on Thursday, August 8, 2002, were before the body.

Mr. Dowe moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Cutler and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** None-----0.

**COMMITTEES-CITY COUNCIL:** A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Dowe moved that Council concur in the request of the Mayor to convene in Closed Session. The motion was seconded by Mr. Cutler and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** None-----0.

**OATHS OF OFFICE-HUMAN DEVELOPMENT-COMMITTEES-  
HOUSING/AUTHORITY-YOUTH-FIFTH PLANNING DISTRICT COMMISSION-  
SCHOOLS: The following reports of qualification were before Council:**

**M. Rupert Cutler as a member of the Roanoke Valley-Alleghany  
Regional Commission, for a term ending June 30, 2005;**

**F. B. Webster Day as a Trustee of the Roanoke City School Board, to fill  
the unexpired term of Sherman P. Lea, resigned, ending June 30, 2003;  
and William H. Lindsey as a Trustee of the Roanoke City School Board,  
to fill the unexpired term of William E. Skeen, resigned, ending June 30,  
2005;**

**Abbi Fitzpatrick as a member of the Youth Services Citizen Board, for  
a term ending May 31, 2005;**

**Christie L. Meredith and Beverly T. Fitzpatrick, Jr., as Commissioners  
of the City of Roanoke Redevelopment and Housing Authority, for  
terms ending August 31, 2006; and**

**Margaret C. Thompson as a member of the Human Services Committee,  
for a term ending June 30, 2003.**

**Mr. Dowe moved that the reports of qualification be received and filed. The  
motion was seconded by Mr. Cutler and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt  
and Mayor Smith-----7.**

**NAYS: None-----0.**

**REGULAR AGENDA**

**PUBLIC HEARINGS: NONE.**

**PETITIONS AND COMMUNICATIONS:**

**ELECTIONS-CITY COUNCIL:** A communication from Council Member William D. Bestpitch with regard to a new project sponsored by The Sorensen Institute for Political Leadership and the Virginia Ethics Forum promoting development of Codes of Conduct in Congressional races across the Commonwealth of Virginia, was before Council.

Mr. Bestpitch advised that he requested the City Attorney to prepare a measure commending the Sorensen Institute for Political Leadership and the Virginia Ethics Forum for their initiative and work on the Codes of Conduct Project in Virginia, which encourages Congressional candidates to develop and sign a Code of Conduct.

Mr. Bestpitch offered the following resolution:

(#36056-091602) A RESOLUTION commending the Sorensen Institute for Political Leadership and the Virginia Ethics Forum for their initiative and work on the Codes of Conduct Project in Virginia.

(For full text of Resolution, see Resolution Book No. 66, page 380.)

Mr. Bestpitch moved the adoption of Resolution No. 36056-091602. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**BUDGET-VIRGINIA TRANSPORTATION MUSEUM-TRANSPORTATION SAFETY-ECONOMIC DEVELOPMENT-RAIL SERVICE:** Kay Strickland, Executive Director, Virginia Museum of Transportation, and a Member of the Committee to Advance the TransDominion Express, presented an update of the past year. She advised that the proposed route for the TransDominion Express spans Virginia from Bristol on the Tennessee border through Roanoke, to Lynchburg where the corridor forks, to Charlottesville, Alexandria, and Washington, D. C. to the north, and from Farmville and Richmond to the east, or a total of seven manned and 12 unmanned stations which serve the 530 mile route, eight of which currently serve Amtrak passenger stations. She stated that funding from the Virginia Department of Transportation's Enhancement Program, ISTEA, helped restore train depots in several key locations, which include Alexandria, Culpepper, Orange, Charlottesville,

Lynchburg, Farmville and Pulaski. She advised that Roanoke and Bristol are currently renovating their historical rail depots, as is Richmond's Main Street; endorsements for the TransDominion project have come from over 140 cities, counties, colleges and Chambers of Commerce, including Roanoke City, and many have provided support money to communicate with the project's support base and legislators. She explained that the project was included in the Transportation Act of 2000 and the legislature adopted \$9.3 million for initial capital needs of the TransDominion Express, and Congressman Bob Goodlatte and Congressman Rick Boucher were successful in inserting language in the Transportation Appropriations Conference Report for fiscal year 2001 which directs Amtrak to work with the Commonwealth of Virginia in launching the TransDominion Express. She stated that Amtrak has agreed to work with the Commonwealth of Virginia in the formulation of an operating agreement and capital cost sharing agreement which will allow Virginia to use Amtrak bulk buying power to acquire passenger cars and locomotives and designate Amtrak to be the operator of the service. She advised that the Commonwealth of Virginia is also addressing three concerns that have been articulated by Norfolk Southern; i.e.: liability, fair compensation for use of its tracks, and not impeding its freight service. She further advised that in June 2002, the TransDominion Express Committee hosted the Virginia House Appropriations Committee on a trip to Portland, Oregon, and Seattle, Washington, and not only did legislators meet with City and State officials regarding transportation issues, they experienced the Cascade Rail Service which is similar to what is proposed for Roanoke. She explained that the Cascade Rail Service began in 1993, ridership has grown to 600,000 and is estimated to grow to 2.2 million by the year 2018, and it is also estimated that one half of the riders on the Cascade service are tourists. She noted that seven of the top ten tourist attractions in Virginia are located along the TransDominion Express corridor; and service in Virginia would provide a link to urban and rural communities across the state for college students, business travelers and tourists. She advised that passenger rail service in Virginia is feasible because it uses existing tracks, links to high speed service in Washington, D.C. and Richmond, Virginia, is cost effective, and Virginians will support the service. She stated that the House Appropriations Committee is looking at ways to find a creative funding mechanism and overcoming certain other objections, because it is not merely a transportation issue, but a multi-faceted quality of life and economic development issue. She advised that the success of passenger rail service does not solely fall on the shoulders of the Virginia Department of Transportation, the Department of Rail and Public Transportation, or Amtrak, and the Roanoke community must view itself as a stakeholder in the process. To that end, she stated that the TransDominion Express Committee will begin making presentations in all

of the communities in the following year to encourage that they take advantage of this transportation option as a part of their community and economic development strategy, and it is hoped that the City of Roanoke will become a financial stakeholder in the TransDominion Express.

Robert B. Manetta, a participant in the Portland/Seattle trip, encouraged the City of Roanoke to appoint a staff person to work with the Committee to Advance the TransDominion Express.

The City Manager advised that once the designation was made of the former passenger rail station to serve as the official designated station for the future, the purpose of the Council-Appointed Passenger Rail Service Committee ended. She further advised that she was not aware of an official request for financial support. She called attention to a regional economic development strategy which has been approved by all of the jurisdictions in the area, and the need for passenger rail service was identified as one of the economic development strategies. She stated that a City staff person will be assigned to work with the TransDominion Express Committee as requested by Mr. Manetta.

Following further discussion, it was the consensus of Council to refer the matter to the City Manager for report and to fiscal year 2003-04 budget study for consideration.

**BUDGET-SCHOOLS-LEGISLATION:** Diane Price, UniServe Director, Roanoke Education Association (REA), appeared before Council in connection with the underfunding crisis as a result of the General Assembly not providing adequate funds for quality education. She requested that Council adopt a measure in support of a resolution adopted by the Virginia Education Association (VEA), and join with many other stakeholders in the Commonwealth of Virginia to point out that there is a serious underfunding issue which needs to be addressed by the General Assembly. She called attention to a campaign sponsored by the VEA, "Brighter Futures for Virginia's Children", which is in its second year, that addresses the importance of quality programs, quality teachers and quality funding. She advised that within the Commonwealth of Virginia, there is a discrepancy between what localities can afford to do for their children and what Standards of Quality (SOQ) funding allows localities to do, and currently the Standards of Quality are underfunded by approximately one billion dollars. She stated that the Commonwealth of Virginia is fortunate in that it has a wealth of personal resources and it is necessary to make a decision to commit those resources to providing brighter futures for the children of Virginia. She explained that Virginia ranks 46th

in tax burden on personal income, while it is 12<sup>th</sup> in the nation for personal income; disproportionately, Virginia ranks 40th in what its legislature chooses to spend on educating its children; and Virginia continues to lag almost \$3,000.00 behind the national average in teacher salaries. She advised that revenue sources must be identified in order to adequately fund education, and while some areas of government have received an increase in spending, education has not received its fair share, with general government increasing by eight per cent, administration of justice increased by 4.4 per cent, and education increased by only 2.2 per cent in the past 20 years, which is not sufficient to meet the growing demands of the School system in Roanoke, or other school systems in the Commonwealth of Virginia. She advised that if education is truly a top priority of the General Assembly, now is the time to convince the General Assembly to take action; and a strong argument can be made for the children of Roanoke, as well as for the children of the Commonwealth of Virginia. She stated that the REA plans to make business contacts, to foster more and improved business partner relationships, and to encourage business representatives to contact their state legislators. She called attention to surveys conducted by various organizations, including the VEA, which demonstrate that the public is in favor of increased State funding, fixing the deflated SOQ formula, and voters in the Commonwealth of Virginia and in the City of Roanoke overwhelmingly support public schools. She stated that local business persons will be encouraged to contact legislators in support of the "Brighter Futures Campaign" and an increase in State funding for education, while stressing that education be considered as a top priority. In summary, she advised that the Standards of Quality funding, in its present form, is not sufficient to meet the needs of Virginia's children and its schools; therefore, it is requested that City Council help in efforts to provide smaller class sizes, a sufficient number of resource teachers, plentiful supplies and materials, effective professional development, adequate technology, and teacher salaries at or above the national average. She requested that Council join with the Roanoke Education Association and the Virginia Education Association in their state-wide efforts to encourage the General Assembly to provide its fair share of education funding and to ensure brighter futures for the children of the City of Roanoke and throughout the Commonwealths of Virginia.

Council Member Carder, Chair of the Legislative Committee, advised that one of the reasons that the City's proposed 2003 Legislative Program was sent to the Roanoke Education Association and to others was to generate a ground swell of grass roots support during the 2003 Session of the General Assembly, in an effort to politically push legislators to deal with the revenue issue. He stated that it is hoped when the City's 2003 Legislative Program is completed, the REA and others will join the City of Roanoke in asking that cities be empowered with the ability to control their own destinies, or that the General Assembly step up to the plate and do its fair share.

It was the consensus of Council to refer the resolution adopted by the Virginia Education Association establishing the educational funding crisis in the Commonwealth of Virginia as the VEA's first priority, to the City Attorney for preparation of the proper measure for consideration by Council at its next regular meeting on Thursday, October 3, 2002, at 2:00 p.m.

**REPORTS OF OFFICERS:**

**CITY MANAGER:**

**BRIEFINGS: NONE.**

**ITEMS RECOMMENDED FOR ACTION:**

**ZONING-NEIGHBORHOOD ORGANIZATIONS-COMMUNITY PLANNING:** The City Manager submitted a communication advising that the Code of Virginia provides for local establishment of Rehabilitation Districts by City Council resolution in Section 36-52.3; establishment of Rehabilitation Districts permits the City of Roanoke and the City of Roanoke Redevelopment and Housing Authority to implement housing programs such as Rental Inspections and rehabilitation programs; in addition, it permits the City to establish Neighborhood Design District regulations in the Zoning Ordinance pertaining to new construction and additions to existing structures; and programs are limited to core areas of the City that are designated as Conservation Areas, Redevelopment Areas, or Rehabilitation Districts.

It was further advised that staff recommends expansion of the existing Rehabilitation District in the northern part of the Melrose-Rugby neighborhood, which expansion was recommended in the Melrose-Rugby Neighborhood Plan, adopted by Council on June 18, 2001; and the Plan's residential development strategy recommends that the City "extend the Rehabilitation District north to include Andrews Road, Cove Road, Syracuse Avenue, Grayson Avenue and Thomas Avenue."

The City Manager explained that the Code of Virginia requires that a proposed Rehabilitation District meet two criteria: first, the area must be adjacent to a Conservation Area, and second, the area must show that it is likely to deteriorate if not rehabilitated; the Melrose-Rugby area meets both criteria and the first criterion is met because the existing Rehabilitation District, which is adjacent to a Conservation Area, would simply be expanded; the second criterion is met because

the area (including the area for expansion) shows continued potential for deterioration; the neighborhood has a lower owner-occupancy rate (50.5%) than the City (56.6%), and approximately one quarter of income by residents is below the poverty level; in addition, the median house value is \$10,700.00 lower than the City median, which statistics indicate a housing tenure type, income level, and comparative value of housing that could have adverse impacts on continued housing maintenance activities and resulting loss of competitive market position of the neighborhood in relation to the City and the region unless specific public actions are not initiated.

It was advised that code enforcement records of the Department of Housing and Neighborhood Services indicate that over 300 properties in the entire neighborhood have been the subject of code enforcement activities, which is approximately one-fifth of all dwelling units; the northern portion of the Melrose-Rugby neighborhood contains a large amount of vacant land and overall vacant housing units are estimated to be just under ten per cent for the entire neighborhood, which indicates that the area has a high potential for infill housing development and continued rehabilitation activities under specific programmatic activities and guidelines that can be broadened through expansion of the rehabilitation district; to carry out the Melrose-Rugby Neighborhood Plan recommendations for continued focus on housing rehabilitation and encouraging well-designed market rate infill housing, the existing rehabilitation district should be expanded, and the Neighborhood Design District standards of the Zoning Ordinance should be implemented in the rehabilitation district, including the portion proposed for expansion.

The City Manager recommended that Council adopt a resolution to expand the Rehabilitation District in the Melrose-Rugby neighborhood.

Mr. Carder offered the following resolution:

(#36057-091602) A RESOLUTION expanding the Melrose rehabilitation district in the vicinity of the Melrose-Rugby Neighborhood.

(For full text of Resolution, see Resolution Book No. 66, page 381.)

Mr. Carder moved the adoption of Resolution No. 36057-091602. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**ZONING-CITY CODE-TECHNOLOGY ZONE:** The City Manager submitted a communication advising that in 1995, the Code of Virginia was amended to allow local governments the opportunity to create local technology zones which may be created for a period of up to ten years and may allow localities to provide various economic incentives to businesses; both the City of Roanoke's Comprehensive Plan Vision 2001-2020 and the Outlook Roanoke Update recommend the establishment of a technology zone within the City of Roanoke that will provide special incentives to attract, retain, and grow technology businesses; and the primary areas that have been identified for technology business growth include the Downtown and South Jefferson Redevelopment areas.

It was further advised that earlier this year, the City's Department of Economic Development completed an evaluation of other technology zone programs around the Commonwealth of Virginia; in addition, City staff met with existing technology businesses to gain further insight as to what incentives would better attract or retain technology firms; and the Department of Economic Development concluded that a technology zone should be established within the City, thereby offering the following economic incentives to qualifying technology businesses:

**Telecommunication Connection Fee Grant:** *(i.e. Fiber Optics, Data)-* Qualified technology businesses may receive a one-time telecommunication connection fee grant, equal to 50 per cent of the actual costs spent by such business to obtain telecommunication services to its location, not to exceed \$1,000.00 per grant.

**Capital Investment Grants:** A capital investment grant may be provided to qualified technology businesses. The grant is based on the net increase in new investment made within the technology zone. The grant is calculated on the net qualifying increase in business personal property (including tangible personal property and machinery and tools) and real estate taxes paid by a qualified technology business. The grant is equal to 50 per cent of the net increase in such taxes actually paid by the technology business and which increase resulted from a qualified technology business' new investment in business personal property and real estate improvements.

It was stated that the above referenced grants will be administered through the Industrial Development Authority of the City of Roanoke with funds provided by the City; incentives are based on a technology company's creation of new, full time job positions and new capital investment within the technology zone; establishment of the technology zone requires that Council adopt a measure to add Chapter 32.1, Technology Zone, to the Code of the City of Roanoke (1979), as amended; funding for technology zone incentives will be necessary until the end of the life of the technology zone, September 30, 2012; since incentives are based upon new net revenue to the City, funding for such incentives will be provided by revenues generated from technology investments, and required funding will be annually appropriated through the life of the technology zone based on revenues achieved.

The City Manager recommended that Council amend the Code of the City of Roanoke (1979), as amended, to add Chapter 32.1, Technology Zone, and further authorize the City Manager to take such further action and to execute such additional documents as may be necessary to obtain or confirm such local incentives and to establish appropriate rules and regulations to implement and administer local incentives.

Mr. Carder offered the following ordinance:

(#36058-091602) AN ORDINANCE amending the Code of the City of Roanoke (1979), as amended, by the addition of a new Chapter 32.1, Technology Zone, to provide for the establishment of a technology zone within the City to provide certain incentives for certain qualified businesses; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 386.)

Mr. Carder moved the adoption of Ordinance No. 36058-091602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**DONATIONS/CONTRIBUTIONS-EMERGENCY MEDICAL SERVICES:** The City Manager submitted a communication advising that previously, the City donated an out of service 1991 Chevrolet Caprice with over 80,000 miles to be used for administrative support functions of Roanoke Emergency Medical Services, Inc. volunteers (REMS); pursuant to an agreement with REMS, maintenance, fuel, title, markings and insurance on the vehicle are provided by REMS, with the City listed as an additional insured; REMS has submitted a request to return the 1991 Chevrolet Caprice to the City in exchange for an out of service 1995 Chevrolet Caprice with over 80,000 miles (unit #048); REMS will provide fuel, maintenance and insurance and will remark and title the vehicle as a REMS vehicle; the 1991 vehicle will be returned to City of Roanoke fleet for customary disposal of an out of service vehicle; and under the agreement, REMS may not dispose of any donated property without the written agreement of the City.

It was further advised that Section 15.2-953 of the Code of Virginia (1950), as amended, allows localities to donate funds, personal property or real estate to organizations such as REMS; and REMS has agreed to accept the 1995 Chevrolet Caprice and will maintain and ensure the vehicle.

The City Manager recommended that Council adopt a measure authorizing the return of a 1991 vehicle and the donation of a 1995 Chevrolet Caprice to REMS, authorize the City Manager to sign the title to said vehicle over to REMS; and ownership of the vehicle will revert to the City of Roanoke should REMS cease to do business.

Mr. Carder offered the following resolution:

(#36059-091602) A RESOLUTION authorizing the donation of a certain City owned vehicle to Roanoke Emergency Medical Services (REMS), upon certain terms and conditions; and authorizing the City Manager to transfer title of said vehicle to REMS.

(For full text of Resolution, see Resolution Book No. 66, page 394.)

Mr. Carder moved the adoption of Resolution No. 36059-091602. The motion was seconded by Mr. Cutler and adopted by the following vote:

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**POLICE DEPARTMENT-BUDGET-GRANTS:** The City Manager submitted a communication advising that for the past several years, police officers in the Crime Prevention Squad have sought funding to implement "Project Lifesaver", whose mission is to assist victims of Alzheimer's disease and related mental dysfunction disorders who become disoriented or lost and are unable to return themselves home safely; project Lifesaver uses Geographic Information Systems (GIS), which track the lost patient via electronic transmitter and receiver; during the past ten years, the City's efforts to enhance the use of linear space through construction of "greenways" has intensified; with many of the greenways having been completed or near completion, a concern has arisen for the need for quick access by patrol officers to the most remote part of these sites; bicycle patrols, horses, and foot officers can access the remote site areas, but they are limited in how quickly their access is and in the amount of assistance they might be able to render; a motorized all-terrain vehicle (ATV) could maneuver on the greenways to provide expedient law enforcement services; and in conjunction with Project Lifesaver, an ATV would be valuable in the search and rescue efforts for missing dementia patients in greenways and in remote wooded areas.

It was further advised that the City has been approved for a "One Time Special Request Fund for Local Law Enforcement Agencies" grant award of \$5,000.00 from the Commonwealth of Virginia Department of Criminal Justice Services, for the purchase of electronic transmitter and receiver equipment to address the safety issues of patients in the advanced stages of Alzheimer's disease and for the purchase of an all-terrain vehicle.

The City Manager recommended that Council establish a revenue estimate and appropriate \$5,000.00 to Grant Fund accounts to be established by the Director of Finance; and that the City Manager be authorized to execute any required documents.

**Mr. Carder offered the following budget ordinance:**

**(#36060-091602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 66, page 395.)**

**Mr. Carder moved the adoption of Ordinance No. 36060-091602. The motion was seconded by Mr. Dowe.**

**Council Member Cutler suggested that consideration be given to patrolling greenways with bicycles, which would enable the expenditure of the entire \$5,000.00 for transmitter and receiver equipment for Alzheimer's patients. The City Manager responded that the amount of funds available would go first toward the purchase of transmitter and receiver equipment, with the balance to be used for the all terrain vehicle.**

**There was discussion in regard to the criteria to be used in dispensing the transmitter receiver equipment; whereupon, the Assistant City Manager for Community Development advised that the Chief of Police states that the all terrain vehicle is similar to a go cart and is used in places where vehicles are not feasible, and both the transmitter receiver equipment and the all terrain vehicle can be purchased for \$5,000.00. She stated that she would provide Council with information on the criteria for dispensing the equipment, along with the number of transmitter units to be purchased, and noted that equipment will be dispensed to those individuals who are in the advanced stages of Alzheimer's disease.**

**Mr. Harris called for the question.**

**Ordinance No. 36060-091602 was adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**Mr. Bestpitch offered the following resolution:**

**(#36061-091602) A RESOLUTION authorizing the acceptance of the One Time Special Request Fund for Law Enforcement Agencies by the Commonwealth of Virginia Department of Criminal Justice and authorizing the execution of any required documentation of behalf of the City.**

**(For full text of Resolution, see Resolution Book No. 66, page 396.)**

**Mr. Bestpitch moved the adoption of Resolution No. 36061-091602. The motion was seconded by Mr. Cutler and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**BUDGET-REFUSE COLLECTION-EQUIPMENT: The City Manager submitted a communication advising that the Fiscal Year 2002 – 2003 Resource Allocation Plan has identified the need to purchase new loose-leaf collection equipment and supporting apparatus to replace existing equipment; funding was allocated to the Fleet Management Fund for this purpose which will allow for the purchase of 12 Trailer Mounted Vacuum Leaf Collector Units to replace existing units; and specifications were developed and an Invitation for Bids was sent to 11 qualified providers, in accordance with the Procurement Code.**

**It was further advised that the lowest bid submitted by Virginia Public Works Equipment for a Giant-Vac Model 6600 JD-B did not meet specifications, because the machine is not equipped with a PTO safety engagement system that prevents equipment damage during vacuum impeller engagement and does not meet the specified horsepower rating, clutch size, or requested electrical break system and hydraulic boom operation; three vendors submitted bid packets but declined to bid on the units; and the bid of Old Dominion Brush Company, in the amount of \$176,784.00, is the lowest bid meeting all specifications.**

**The City Manager recommended that Council accept the bid of Old Dominion Brush Company for 12 Trailer Mounted Vacuum Leaf Collector Units (Model LCT-650), at a total cost of \$176,784.00, authorize the City's Purchasing Division Manager to issue a purchase order, authorize the City Manager to execute the required purchase agreements, and reject all other bids received by the City.**

The City Manager further recommended that Council transfer \$15,184.00 from Fleet Management, Account No. 017-440-2642-9010, to Transportation – Street Maintenance, Account No. 001-530-4110-9015.

Mr. Carder offered the following budget ordinance:

(#36062-091602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Fleet Management Fund Appropriations, and dispensing with the second reading by title of the ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 397.)

Mr. Carder moved the adoption of Ordinance No. 36062-091602. The motion was seconded by Mr. Bestpitch.

The Mayor expressed concern that there was only one qualified bidder, and advised that he has raised the concern on a number of occasions with regard to construction projects and/or acquisition of equipment. He stated that the City has an obligation to its citizens to consider a minimum of two bids for any product and/or project. He inquired as to how the situation can be corrected in the future and stated that he would prefer to rebid the item and determine why bid specifications were drafted in such a way as to eliminate other potential bidders.

The City Manager advised that the City attempted to solicit bids from a number of vendors; however, she could not explain why three bidders declined to submit a bid on this specific item, and when the City goes out to bid it has no way of knowing how many vendors/companies will respond, nor can there be a guarantee that there will be a minimum number of bidders. She explained that the City of Roanoke is currently performing a service of collecting loose leaves which is rare among communities of today; it was contemplated in this years' budget, in an effort to help balance the budget, to discontinue the loose leaf collection program because it is costly and time consuming and does not enhance the overall appearance of the City since many citizens choose to put their leaves out in advance of the collection date. However, she added that City staff believes that the City of Roanoke can be more efficient in loose leaf collection and requested the opportunity to improve upon the service before a decision was made to discontinue the program. She explained that if Council votes to reject the bids on the leaf collector units and re-advertise for bids, the City of Roanoke will not be in a position to improve upon its loose leaf collection program this year, and further, the fiscal year 2003 budget eliminated two staff persons from this operation, therefore, additional costs would be incurred that were not previously anticipated.

Council Member Wyatt expressed concern that there are instances when City departments are so product specific in their requirements that only one supplier can meet specifications inasmuch as specifications are drafted to fit a particular product. She requested that the City Manager ensure that specifications are drafted so as not to be so product specific that other vendors are automatically excluded.

The City Manager advised that the City is under staffed in the purchasing area, upon the hiring of a purchasing manager, there may be a need to employ a buyer or bid specialist to assist City departments in the development of bid specifications so as to overcome the tendency alluded to by Ms. Wyatt. She stated that currently, with the size of the purchasing staff, the system relies totally on individual departments to develop their own bid specifications.

Following further discussion, Council Member Harris called for the question. Ordinance No. 36062-091602 was adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Wyatt--6

**NAYS:** Mayor Smith-----1.

Mayor Smith advised that his no vote was not against the equipment, but the need to identify a better way to purchase equipment and demonstrate to the public that the City of Roanoke is affording an equal opportunity to every potential bidder.

Mr. Harris offered the following resolution:

(#36063-091602) A RESOLUTION accepting the bid of Old Dominion Brush Company for the purchase of 12 new Trailer Mounted Vacuum Leaf Collector Units, upon certain terms and conditions; and rejecting all other bids made for such items.

(For full text of Resolution, see Resolution Book No. 66, page 398.)

Mr. Harris moved the adoption of Resolution No. 36063-091602. The motion was seconded by Mr. Carder and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Wyatt-6.

**NAYS:** Mayor Smith-----1.

**BRIDGES-CITY PROPERTY:** The City Manager submitted a communication with regard to various repairs to two City bridges, 9<sup>th</sup> Street over Norfolk Southern Railway and 5<sup>th</sup> Street over Norfolk Southern Railway; after proper advertisement, three bids were received, with Lanford Brothers Co., Inc., submitting the low bid, in the amount of \$116,630.00; and a construction time of 60 consecutive calendar days; and funding is available in Bridge Maintenance Account No. 008-052-9549-9003.

The City Manager recommended that Council accept the bid of Lanford Brothers Co., Inc., in the amount of \$116,630.00, with 60 consecutive calendar days of contract time, and reject all other bids received by the City.

Mr. Carder offered the following ordinance:

(#36064-091602) AN ORDINANCE accepting the bid of Lanford Brothers Company, Incorporated, for making various repairs to two City bridges, 9<sup>th</sup> Street over Norfolk Southern Railway, and 5<sup>th</sup> Street over Norfolk Southern Railway, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 399.)

Mr. Carder moved the adoption of Ordinance No. 36064-091602. The motion was seconded by Mr. Cutler and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** None-----0.

**PARKS AND RECREATION:** The City Manager submitted a communication advising that the City of Roanoke desires the opportunity to consider entering into a contractual agreement with a qualified service provider to operate the Rocwood Indoor Adventure Center located within the Parks and Recreation Administrative Building, 210 Reserve Avenue S. W., which is a multi-faceted climbing facility serving residents of the Roanoke Valley; the facility offers 4000 square/feet of recreation space, including various climbing walls, tower, climbing cave, rappelling station, equipment storeroom and a reception area; the provider would oversee all facets of facility operations and program delivery for all users; programs may include open session climbing, climbing club, birthday party rentals, partnerships with area schools, YMCA, Boy Scouts, churches and special events; and the proposed contractual arrangement is designed to maximize efficient and effective use of the Rocwood Indoor Adventure Center for many users, with the intent to recreate and expand potential service offerings at the facility, while eliminating the subsidy currently associated with in-house operation.

It was further advised that although the sealed bid method of procurement could be used, it is not practicable in this instance; the experience, qualification, and references of firms that can provide the above listed service are of equal, if not greater, importance than cost; and issues of experience, risk management, and ability to achieve desired outcomes are of critical importance in determining the best possible provider of the required service.

It was explained that the Code of the City of Roanoke, (1979) as amended, provides, as an alternate method of procurement to using the bid process, a process identified as "competitive negotiation"; and prior approval by Council is necessary before the alternate method may be used, which will allow negotiations with two or more providers to determine the best qualified at the most competitive price or rate.

The City Manager recommended that Council authorize the use of competitive negotiation as the method to secure vendors.

Mr. Carder offered the following resolution:

(#36065-091602) A RESOLUTION designating the procurement method known as competitive negotiation, rather than the procurement method known as competitive sealed bidding, to be used for the procurement of a qualified service provider to operate the Rocwood Indoor Adventure Center; and documenting the basis for this determination.

(For full text of Resolution, see Resolution Book No. 66, page 400.)

Mr. Carder moved the adoption of Resolution No. 36065-091602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**BLUE RIDGE COMMUNITY SERVICES:** The City Manager submitted a communication advising that the 1998 General Assembly passed HB428 which amended and reenacted sections of the Code of Virginia, 1950, as amended, relating to local roles and responsibilities for mental health, mental retardation, and substance abuse services; Section 37.1-194 of the State Code requires every locality to establish a community service board to oversee the delivery of mental health, mental retardation and substance abuse services, and it is further required that the local governing body of a locality approve the Performance Contract; and the City of Roanoke has already established Blue Ridge Behavioral Healthcare, pursuant to statutory provision, as the Community Services Board.

It was further advised that Blue Ridge Behavioral Healthcare has submitted the Fiscal Year 2003 Community Services Performance Contract, in accordance with Title 37.1 of the State Code, to ensure delivery of publicly funded services and support to citizens of the Commonwealth of Virginia with mental illness, mental retardation, or substance abuse; services are to be directly or by contract through the operating board of the Community Services Board; and Section 37.1-198B, Code of Virginia, 1950, as amended, requires all governing bodies for localities served by the Community Services Board to approve the Community Services Performance Contract.

The City Manager recommended that Council adopt a measure approving execution of the Blue Ridge Behavioral Healthcare fiscal year 2003 Performance Contract and that the City Manager be authorized to execute any required documents to enter into the Performance Contract with the Blue Ridge Behavioral Healthcare Board of Directors.

Mr. Bestpitch offered the following resolution:

(#36066-091602) A RESOLUTION approving and authorizing the execution of the Blue Ridge Behavioral Healthcare FY 2003 Performance Contract, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 66, page 402.)

Mr. Bestpitch moved the adoption of Resolution No. 36066-091602. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**BUDGET-CONVENTION AND VISITORS BUREAU-WESTERN VA FOUNDATION FOR THE ARTS AND SCIENCES-ROANOKE PASSENGER STATION RENOVATION PROJECT:** The City Manager submitted a communication advising that the Roanoke Passenger Rail Station is presently being redeveloped by the Western Virginia Foundation for the Arts and Sciences (WVFAS) for use by the Roanoke Valley Convention and Visitors Bureau and the O. Winston Link Museum; the City of Roanoke's Capital Improvement Program includes a funding commitment of \$1,500,000.00 for the project, of which \$250,000.00 has already been provided to WVFAS by previous action of Council, pursuant to Ordinance No. 35170-121800; the balance of \$1,250,000.00 requires a formal agreement to include certain conditions by which remaining funds would be provided to WVFAS; conditions include acquisition of matching funds and securing an agreement with the O. Winston Link Estate for display of the O. Winston Link art/photo collection in the renovated facility; funding would be provided in two equal payments of \$625,000.00, one to be made in fiscal year 2002-03 and the other in fiscal year 2003-04, subject to satisfaction of conditions of the agreement; and funding appropriation for the first payment is currently needed, while funding for the second appropriation will be made in fiscal year 2003-04.

The City Manager recommended that Council appropriate \$625,000.00 from Capital Projects Fund Interest Earnings to Roanoke Passenger Station Renovation, Account No. 008-530-9900-9003, for disbursement to the Western Virginia Foundation the Arts and Services and that the City Manager be authorized to execute the agreement on behalf of the City of Roanoke.

Mr. Harris offered the following budget ordinance:

(#36067-091602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page, 403.)

Mr. Harris moved the adoption of Ordinance No. 36067-091602. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Cutler offered the following resolution:

(#36068-091602) A RESOLUTION authorizing the City Manager to execute, on behalf of the City of Roanoke, an Agreement between the City of Roanoke and Western Virginia Foundation for the Arts and Sciences ("WVFAS").

(For full text of Resolution, see Resolution Book No. 66, page 404.)

Mr. Cutler moved the adoption of Resolution No. 36068-091602. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-GRANTS-FDETC: The City Manager submitted a communication advising that the Fifth District Employment and Training Consortium (FDETC) administers the Federally funded Workforce Investment Act (WIA) for the region, which encompasses the Counties of Alleghany, Botetourt, Craig, Franklin and Roanoke, as well as the Cities of Covington, Roanoke, and Salem; and WIA funding is for two primary client populations:

Dislocated workers who have been laid off from employment through no fault of their own.

Economically disadvantaged individuals as determined by household income guidelines established by the U. S. Department of Labor.

It was further advised that the City of Roanoke is the grant recipient and fiscal agent for FDETC funding, thus, City Council must appropriate funding for all grants and other monies received by the FDETC.

It was explained that the FDETC has received an award of \$25,000.00 from the City of Roanoke Community Development Block Grant Program to provide 12 local businesses with assistance in identifying occupational skills needed by employees to effectively perform their jobs; the FDETC will also provide individualized job placement services for approximately 50 low to moderate-income persons; the FDETC has received a Notice of Obligation from the Virginia Employment Commission authorizing Workforce Area 3 to spend \$69,931.00 for the Adult Program, which serves economically disadvantaged persons and \$93,433.00 for the Dislocated Worker Program, which serves persons laid off from their job through no fault of their own; and the balance of funding designated for Workforce Area 3 will be authorized on a separate notice of obligation after September 30, 2002.

The City Manager recommended that Council appropriate the FDETC's funding, totaling \$188,364.00, and increase the revenue estimate by \$188,364.00, in accounts to be established in the Consortium Fund by the Director of Finance.

Mr. Carder offered the following budget ordinance:

(#36069-091602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Fifth District Employment and Training Consortium Fund Appropriations and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 405.)

Mr. Carder moved the adoption of Ordinance No. 36069-091602. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**BONDS/BOND ISSUES- CIVIC CENTER STADIUM:** The City Manager and the Director of Finance submitted a joint communication advising that the City of Roanoke issued \$26,020,000.00 of Series 1999A and \$10,100,000.00 of Series 1999B bonds dated October 15, 1999; the bonds were issued to fund various projects including schools, buildings, storm drains, the Roanoke Higher Education Center,

the Johnson and Johnson project and other infrastructure projects; although the City obtained a favorable overall interest rate for the issue, certain bonds with maturities in outer years carry interest rates of up to 6.0%; and Davenport & Company, LLC, a Richmond, Virginia, based Securities Underwriting Firm with a Roanoke office, has proposed to purchase bonds to refund a portion of the 1999 bonds via a negotiated sale.

It was further advised that based on recent bond interest rates, the City could potentially realize significant savings by refunding a portion of the 1999 bond series that carry the higher interest rates; resulting savings would be contingent upon the combination of the interest rate received on the refunding bonds and the interest rate obtained on the Treasury certificates purchased to fund the escrow to be used to pay the current outstanding bonds when the bonds become callable; based upon discussions with the City's financial advisor, BB&T Capital Markets, it is believed that an appropriate level of savings to justify refunding would be a net present value amount of \$500,000.00, provided that savings of at least four per cent of net present value of the refunded bonds could also be achieved; since interest rates fluctuate daily, it is imperative to the success of a refunding that the City act quickly once interest rates enable the City to achieve an acceptable level of savings; and thus, a negotiated sale versus an open market competitive sale is deemed more practical.

It was noted that refunding bonds will be considered additional debt in the context of the City's debt policy and from the rating agencies' perspective only to the extent that a slightly higher level of principal would need to be issued than the amount of 1999 bonds being refunded.

The City Manager and Director of Finance recommended that Council adopt a resolution authorizing the City Manager and the Director of Finance to issue up to \$22 million in refunding bonds to be purchased by Davenport & Company, LLC, if net present value savings of \$500,000.00 and a minimum of four per cent of the net present value of the refunded bonds can be achieved.

Mr. Carder offered the following resolution:

(#36070-091602) A RESOLUTION authorizing the issuance and sale of not to exceed twenty-two million dollars principal amount of City of Roanoke, Virginia, General Obligation Public Improvement Refunding Bonds to Davenport & Company LLC, as underwriter; fixing the form, denomination and certain other details of such refunding bonds and delegating to the City Manager and the Director of Finance authority, among other things, to execute and deliver to such underwriter a bond purchase contract by and between the City and such underwriter, to determine the aggregate principal amount of such refunding bonds, the maturity dates of such refunding bonds and the principal amounts of such refunding bonds maturing in each year, the interest payment dates for such refunding bonds and the rates of interest to be borne by such refunding bonds, the redemption provisions and redemption premiums, if any, applicable to such refunding bonds and to appoint an escrow agent for the bonds to be refunded from the proceeds of such refunding

bonds; authorizing the execution and delivery of a continuing disclosure certificate relating to such refunding bonds; authorizing the execution and delivery of an escrow deposit agreement relating to the refunded bonds; authorizing the City Manager and the Director of Finance to appoint a verification agent; authorizing the City Manager and the Director of Finance to designate the refunded bonds for redemption; and otherwise providing with respect to the issuance, sale and delivery of such refunding bonds and the refunding of the refunded bonds.

(For full text of Resolution, see Resolution Book No. 66, page 407.)

Mr. Carder moved the adoption of Resolution No. 36070-091602. The motion was seconded by Mr. Harris.

The Director of Finance advised that the City has worked with its financial adviser to establish a volume of savings in the range of approximately \$500,000.00 of present value savings, and four per cent present value savings of the preauthorized amount of bonds would amount to approximately \$50,000.00 per year in debt service savings. He pointed out that as bonds are refunded in the context of being considered additional debt, they are considered additional debt to the extent that the principal exceeds the principal amount of the bonds being refunded. He noted that the resolution before Council has an expiration date of February 28, 2003, and due to certain technical rules regarding bond issuance, Council has not as yet adopted a measure authorizing issuance of bonds for Phase II expansion of the Civic Center, which is anticipated to be submitted in early 2003, and the expiration date of the resolution before Council will occur at about the same time that another resolution will be submitted to Council for approval of issuance of bonds for the Civic Center expansion.

There was discussion in regard to traffic studies and renovations to the Roanoke Civic Center; whereupon, the City Manager advised that it is intended to complete the design and bid on the \$15 million of civic center improvements in early 2003. She stated that it is also the goal to complete the final design for bid specifications for the stadium/amphitheater project at approximately the same time because there may be financial advantages to the City to bid both projects simultaneously, and potential bidders will be given the opportunity to bid on both projects or on individual projects. She stated that traffic management for both the stadium/amphitheater project, and the Civic Center Project have been reviewed, and traffic management efforts have already been enforced. She added that a traffic management plan will be submitted to Council within the next few weeks and part of the consideration regarding the stadium/amphitheater project has been a pedestrian overpass of Orange Avenue so as to maximize available parking spaces on both sides of the street for which ever event might be a sell out. She stated that the traffic management plan could suggest certain additional improvements and costs associated with traffic, but would not forestall development of the two projects.

Resolution No. 36070-091602 was adopted by the following vote:

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**REPORTS OF COMMITTEES:**

**BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting the following appropriation of funds, was before Council.**

**\$699,916.00 from the Capital Maintenance and Equipment Replacement Fund to be used to fund instructional and administrative technology requests, school bus replacement, facility maintenance requirement, district-wide physical education equipment, grounds services equipment, facility improvements for handicap access, repair of roofs at several schools, and replacement of food service equipment.**

**\$335,262.00 for the Smaller Learning Communities program at Patrick Henry High School, to provide training of staff and establishment of smaller student learning communities within the high school, to be reimbursed 100 per cent by Federal funds.**

**\$37,906.00 for the Smaller Learning Communities program at William Fleming High School, to provide training of staff and establishment of smaller student learning communities within the high school, to be reimbursed one hundred per cent by Federal funds.**

**\$2,700.00 for the Academic Challenge/Capital One program, to provide additional support for the four schools participating in the program; a corporate donation has been received for the program.**

**\$108,367.00 for the Title I School Improvement program at Roanoke Academy for Mathematics and Science, which will aid the division in its effort to provide strategies to increase students learning at low-performing schools, and help to fund the opportunity for students to chose a higher-performing school as an alternative; to be reimbursed 100 per cent by Federal funds.**

**A report of the Director of Finance recommending that Council concur in the request, was also before the body.**

**Mr. Carder offered the following budget ordinance:**

**(#36071-091602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General, School, and School Food Services Fund Appropriations, and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 66, page 422.)**

Mr. Carder moved the adoption of Ordinance No. 36071-091602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

SPECIAL EVENTS: Council Members Bestpitch, Cutler and Wyatt commended Council Member Carder on the success of the Taste of the Blue Ridge Blues and Jazz Festival, which was held in the City of Roanoke on September 13-15, 2002.

STATE HIGHWAYS-TRANSPORTATION SAFETY: Vice-Mayor Harris requested that the City Manager re-communicate the City's concerns to the Commonwealth Transportation Board with regard to the routing of I-73, specifically through the southeast section of the City of Roanoke. He further requested that the City Manager seek a response from Onzlee Ware, the City's local representative to the Commonwealth Transportation Board, in regard to the routing of I-73 through southeast Roanoke.

POLICE DEPARTMENT-FIRE DEPARTMENT-ACTS OF ACKNOWLEDGEMENT: Having participated in a police ride-along, Council Member Dowe commended the City of Roanoke Police Department and Fire Department for the services they perform on a daily basis for the citizens of the City of Roanoke.

ACTS OF ACKNOWLEDGEMENT-COMMITTEES-SPECIAL EVENTS: Council Member Carder expressed appreciation to the Special Events Committee and to approximately 240 volunteers who worked to make the Taste of the Blue Ridge Blues and Jazz Festival a success.

ACTS OF ACKNOWLEDGEMENT: Council Member Carder presented a sample of the "Roanoke Shining Star" award which was designed to recognize the good deeds of citizens of the City of Roanoke throughout the year. He advised that citizens may obtain a nomination form from the City Clerk's Office, or via the City's Webpage on the Internet.

**ACTS OF ACKNOWLEDGEMENT:** Council Member Cutler commended a team of City employees, under the leadership of Christopher L. Slone, Public Information Officer, who were responsible for the award-winning City of Roanoke Magazine, Roanoke Citizen.

**PARKS AND RECREATION-WATER RESOURCES:** Council Member Cutler called attention to a water conservation workshop which will be held on Monday, September 23, 2002, at 7:00 p.m., in the Auditorium of the main branch of the City of Roanoke Public Library. He also called attention to a workshop to be sponsored by the National Park Service with regard to operation of the Blue Ridge Parkway on Tuesday, September 24, 2002, from 3:30 p.m. to 7:00 p.m., at the Vinton War Memorial.

**HEARING OF CITIZENS UPON PUBLIC MATTERS:** The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

**COMPLAINTS-REFUSE COLLECTION-REAL ESTATE VALUATION-CITY GOVERNMENT-HOUSING/AUTHORITY-COMMUNITY PLANNING-TRANSPORTATION SAFETY-ECONOMIC DEVELOPMENT-WATER RESOURCES-ROANOKE PASSENGER STATION RENOVATION PROJECT:** Mr. Robert Gravely, 617 Hanover Avenue, N. W., addressed Council with regard to the water shortage, the City's economic stability, the process for collection of loose leaves on City streets, overall betterment of the community, and the need to increase the City's tax base through real estate taxes. He questioned the need for passenger rail service, as reported earlier in the meeting, when citizens cannot afford to pay for a taxicab, and advised that City government does not listen to the needs of the average citizen.

**CITY MANAGER COMMENTS:**

**ACTS OF ACKNOWLEDGEMENT:** The City Manager expressed appreciation to City staff for the success of the award winning, Roanoke Citizen magazine, the current edition of which celebrates diversity in the Roanoke community.

The City Manager commended the Roanoke community on the number of events that were held on September 11, 2002, that demonstrated the need to not only remember the September 11, 2001 tragedy, but also to recommit to the community a love of God and a love of country.

**POLICE DEPARTMENT-FIRE DEPARTMENT-ACTS OF ACKNOWLEDGMENT:** The City Manager called attention to a press conference which was held on Friday, September 13, 2002, in which it was announced that the City of Roanoke is the only city in the United States that has an accredited jail, police department and fire department.

**ACTS OF ACKNOWLEDGEMENT-WATER RESOURCES:** The City Manager encouraged citizens to participate in a water conservation workshop to be held on September 23, 2002, at 7:00 p.m., at the City's Main Library. She expressed appreciation to Roanoke's citizens for their continuing cooperation and support during the water crisis, and asked that citizens continue to be good conservators of water.

At 4:35 p.m., the Mayor declared the meeting in recess for one Closed Session.

At 5:30 p.m., the Mayor declared the Closed Session in recess, for a joint meeting of City Council and the Roanoke City School Board, in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building.

A joint meeting of Roanoke City Council and the Roanoke City School Board was called to order on Monday, September 16, 2002, at 5:35 p.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Ralph K. Smith and Vice-Chair Ruth C. Willson presiding.

**COUNCIL MEMBERS PRESENT:** William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt, (left meeting at 5:40 p.m.) and Mayor Ralph K. Smith-----7.

**COUNCIL MEMBERS ABSENT:** None-----0.

**SCHOOL TRUSTEES PRESENT:** F. B. Webster Day, Marsha W. Ellison, William H. Lindsey, Gloria P. Manns, Chairperson (arrived late), Melinda J. Payne, Robert J. Sparrow, and Vice-Chair Ruth C. Willson----- 7.

**SCHOOL TRUSTEES ABSENT:** None-----0.

**OTHERS PRESENT:** Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Elizabeth Dillon, Assistant City Attorney; Jesse A. Hall, Director of Finance; Mary F. Parker, City Clerk; E. Wayne Harris, Superintendent of Roanoke City Public Schools; Cindy H. Lee, Clerk of the School Board; and Richard L. Kelley, Assistant Superintendent of Operations.

The Mayor welcomed the School Board and staff to the meeting and advised that following dinner, the business session would convene.

The invocation was delivered by Vice-Mayor Harris.

**SCHOOLS:**

## PROGRESS AND WORK TO BE DONE BY THE ROANOKE CITY SCHOOLS:

Superintendent Harris referred to legislation signed by President Bush in January 2001 that reauthorized the Elementary and Secondary Education Act which was first signed into law in 1965 by President Lyndon Johnson, reauthorized by President George W. Bush, and serves as the foundation for legislation referred to as, "No Child Left Behind". He advised that the legislation impacts every public school in the United States and consists of five specific goals; i.e.: goal number one provides that by the year 2013-2014, all schools will reach high standards at a minimum attained proficiency or better in reading and mathematics, and noted that the City of Roanoke created a reading plan five years ago, long before the law was signed to reauthorize the Act. He explained that goal number two provides that all limited English speaking students will become proficient in English and reach high academic proficiency, or better, in reading and language arts; last year Council was advised that the City of Roanoke was experiencing a significant increase in the number of students enrolled in the Roanoke City Public Schools who speak a language other than English as their first language, and at the beginning of the 2002 school year, approximately 390 students representing approximately 28 countries were enrolled in the Roanoke City School system. He advised that goal number three provides that by the year 2005-2006, all students will be taught by highly qualified teachers; all teachers teaching in Roanoke City Schools are required to be licensed, and this portion of the new law provides that teachers will be highly qualified with a degree in the field of education in which they teach. He explained that goal number four provides that all students will be educated in a learning environment that is safe, drug free and conducive to learning; and the Roanoke City School System has put into place all of the examples for a drug free, safe and conducive to learning environment. He added that goal number five provides that all students will graduate from high school by the year 2013-2014 (every student who starts in the ninth grade will graduate within four years), and this goal presents a challenge for the City of Roanoke because the drop out rate rotates between five and seven per cent.

Dr. Harris advised that 75 per cent of Roanoke's students were reading on grade level in the year 2001, compared to 48 per cent in 1998 due, in part, to the creation of a number of pre school classes, and much of the reading progress can be attributed to involving students in the school and pre school setting and working with them to diagnose and intervene in regard to any reading deficiencies; Standards of Learning test results show a 71 per cent overall pass rate for students in English, particularly in the area of reading, 37 per cent or 183 more African-American students are taking algebra when compared to the number taking the course four years ago, and the total number of students taking algebra during this same period of time has narrowed significantly over the four year period. He explained that algebra is the gate keeper of mathematics courses and if students are successful in algebra, they will most likely take a higher level of math, science, and foreign language course in readiness for college admission.

He stated that 66 per cent of students passed their mathematics SOL test, there was a 12 per cent gain in social studies tests from 56 per cent to 68 per cent between the years 2001 and 2002 Standards of Learning; and there was a gain in science bringing student overall test rates to 70 per cent. He called attention to a closing of the gap in the SOL scores between African-American and Caucasian students in all subjects at the elementary level: English, math, science and social studies; there is a declining enrollment, and an achievement gap on eight of ten end of course tests at the high school level; student academic achievement has improved every year which can be substantiated with hard data; and core improvements are the result of spending considerable time on curriculum audits and revision, professional development for teachers, inclusion of programs with proven success, and careful analysis of materials and effective reading.

At this point, Council member Wyatt left the meeting.

Dr. Harris advised that the number of fully accredited schools has increased by five; last year Crystal Spring, Fishburn Park, Grandin Court, Raleigh Court and Wasena Elementary Schools and James Madison Middle School were fully accredited; recently Highland Park and Morningside Elementary Schools, Woodrow Wilson Middle School, and William Fleming and Patrick Henry High Schools were accredited; and Garden City, Monterey, and Virginia Heights Elementary Schools and William Ruffner Middle School are close to accreditation.

He called attention to an increase in the number of students who took advanced placement courses and scored at least three, four or five on exams, and explained that students must score at least a three in order for the course to count toward college credit, with the number having increased from 54 in 2000 to 73 in 2002. He referred to dual enrollment classes which enable students to take courses in high school that are college level through Virginia Western Community College and the student receives credit toward a college degree, and advised that for the fall season of 2000, eight dual enrollment courses were offered and the number has increased to 21.

Dr. Harris advised that there are 150 licensed professional staff who were hired during the summer of 2002 and 40 of those individuals are natives of the Roanoke Valley; all 28 schools must pass the Standards of Learning test by the year 2007 to be fully accredited; Roanoke City Schools must completely close the achievement gap when comparing the achievement of African-American students to Caucasian students; all persons must become skillful users of technology; and the school system must use its recently revised evaluation system for teachers and principals more effectively and cultivate revenue to attract, retain and reward staff. He stressed the importance of funds in these difficult financial times, and all persons should be judicious stewards of monies allocated for education; there is a need to implement a seven period day for students; and all students must graduate from high school.

**COORDINATION WITH REGARD TO PLANNING FOR PARKS and GREEN-WAYS/USING SCHOOLS FOR FITNESS CENTERS:**

Council Member Cutler referred to joint use of middle schools for fitness centers which have proven to be successful. He also referred to using parks and greenways for educational purposes, environmental education, outdoor classrooms and the use of greenways by school track teams for physical education programs. He called attention to the former Transportation Museum in Wasena Park that will be used as an environmental education center, and inquired if there will be a continuing relationship between School staff and City parks and recreation staff to take advantage of parks and recreation fields as educational resources.

Dr. Harris responded in the affirmative and advised that the school system tries at every opportunity to use available resources, and staff of Roanoke City Schools will work with the City's Director of Parks and Recreation to address joint efforts of cooperation.

**PER CENT FOR THE ARTS PROGRAM:**

Dr. Cutler requested that the School Board clarify its position on joint oversight with regard to the Per Cent for Arts Program; whereupon, Dr. Harris advised that the School Board is interested in oversight of art for Roanoke's schools only, and welcomes the opportunity to increase art and art programs in the schools. He stated that art programs have been a priority during his tenure as Superintendent of Schools.

**NEIGHBORHOOD SCHOOLS:**

Council Member Carder addressed neighborhood schools in the context of the City's Comprehensive Plan and in view of the new urban design with the goal that everything will be within walking distance, and with compact and denser neighborhoods. He inquired as to the status of constructing more neighborhood elementary and/or middle schools.

Dr. Harris responded that it was projected three to four years ago that enrollment in Roanoke City Public Schools would first flatten and then start to decline, which projection has held true. He stated that from approximately 1992 until three years ago, there was a steady increase to 450 students over that entire period of time and then enrollment stopped; in the last two to three years, there has been a decline of approximately 100 students in 2001, primarily at the kindergarten and first grade levels, which also speaks to a decline in the birth rate in Roanoke City. He stated that the increase currently is being seen at the middle and high school levels and in the next three to four years, it is projected that there will be a slight decline. At the end of the next three to four years, he noted that there will be approximately 12,500 students enrolled in the City school system, therefore, the school system will lose some students, which clearly states that there is not a need to construct more buildings inasmuch as students can be accommodated in present facilities; however, there is a need to renovate and bring up to standards current school buildings.

Mr. Carder inquired if there are sufficient neighborhood schools to allow students to walk to school as opposed to being bused; whereupon, Dr. Harris responded that 350 - 400 students are bused as a part of the Magnet School Program which is by choice, and other students are bused as a result of the voluntary desegregation plan.

#### **CO-USE AND OPPORTUNITIES FOR SCHOOL FACILITIES:**

Council Member Carder commended the relationship between the City and the School Board relative to community use of the middle school fitness centers. He asked that as the needs of the community are reviewed, the school building should be viewed as an asset that is available to not only the schools, but to the neighborhood as well, and not for redundancy in terms of community centers and other types of facilities.

Dr. Harris referred to the Roanoke Academy for Mathematics and Science where the City of Roanoke and Roanoke City Schools are working cooperatively to expand the gymnasium, cafeteria area, and the library media center so that when the school day ends at 3:15 p.m., the facility then becomes a community center. He stated that Addison Middle School may be one of the most used facilities in terms of schools.

In addition to coordination between the schools and the City's Department of Parks and Recreation, Dr. Cutler mentioned the potential for similar kinds of coordination between the schools and the City's public libraries; whereupon, Dr. Harris advised that a community library, aquatic center, field houses, etc., are all concepts that could be discussed, but there must be an understanding that such facilities would have to be paid for up front, but the advantage is in not creating separate facilities, thereby saving money over the long term.

The City Manager called attention to a pilot program that was initiated approximately two years ago in which the City provided additional funding for the schools for the purpose of keeping the schools open longer in the afternoon and early evening hours, with the goal of making the facilities available as community libraries for use by the public. She stated that it was unfortunate that the kind of interest that was necessary to sustain the program could not be generated. She advised that both she and Dr. Harris would like to encourage more partnering between the City and the School system in the future, and with new facilities there is an opportunity for better planning.

There was discussion in regard to taking into consideration the needs of the community, that there not be redundant facilities, and that facilities/programs be offered to students and to the community that will be of benefit. The City Manager pointed out the importance of ensuring that facilities are constructed that are needed, and stated that the two new high schools represent a unique opportunity, but they may not be located in those areas that are most in need of community services. She advised that there are opportunities for partnerships in the future that have not been utilized in the past; and the City/Schools should encourage citizens to view resources as community resources, not belonging to the schools and/or the City, which can only be accomplished through a change in the mindset of citizens.

Council Member Dowe called attention to the importance of marketing the City of Roanoke and its school system to let the general public know what the City of Roanoke and Roanoke City Public Schools have to offer.

There was discussion in regard to tutoring/mentoring in the pre school and elementary schools by civic organizations in the community. It was pointed out that civic organizations, businesses and organizations throughout the City of Roanoke permit their employees to take time off from work to volunteer in reading programs in the elementary schools, and the program is available in five elementary schools, with approximately 200 volunteers.

#### SUPPORT FOR TEACHERS:

Council Member Bestpitch advised that the Roanoke City Public Schools and the School Board have given the City of Roanoke much to be proud of, and called attention to the importance of staff in educating Roanoke's children. He stated that in order to educate students, there must be buildings, capital equipment, large items such as school buses, books, educational materials and supplies, and staffing; however, the most important of these general categories is staffing. He added that if it is necessary to set priorities, he would prefer to see well qualified, motivated, and inspired teachers in a building that needs some repairs, as opposed to a grand, new building with staff that feel undervalued and underpaid. He advised that he raised his concern in the context of the difficult budget process that was experienced earlier in the year when trying to project revenues and reaching a decision on the schools' portion of the budget. He added that City Council and the School Board tries to do the very best they can by employees each year; however, he was concerned that when the budget process for fiscal year 2002-03 was concluded, teachers received a smaller pay increase than City employees. He stated that as the budget process for 2004 begins, it is hoped that every effort will be made to do the best that can be done for teachers in order to attract and retain the most qualified, experienced and motivated teachers.

In addition to an increase in wages, Mr. Day called attention to the importance of training and development, and advised that the school system has done a good job in providing funds for teacher training and development.

#### COMPLIANCE WITH PERSONNEL POLICY AND PROCEDURE:

Council Member Bestpitch referred to a situation that was communicated to him by persons who believe that the personnel policy process of the school system is not working properly. He called attention to a principal position at an elementary school in his neighborhood which, allegedly, was filled from a pool of applicants without advertising the position, although there were individuals in the school system who were interested in applying for the position had they been given the opportunity to do so. He stated that if money is not the most important issue in retaining personnel, morale or the belief that there is an opportunity for

advancement, or an opportunity for experience and qualifications to be taken into consideration in order to move up in the organization, is at the top of the list. He advised that he was of the impression, as a result of the joint retreat of Council and the School Board, that there was a clear understanding among Council Members and School Board Trustees that an individual would be hired with strong education and training in the area of human resources.

**REMARKS BY COUNCIL MEMBERS AND THE CITY MANAGER:**

Council Member Bestpitch expressed appreciation for the work of the School Board which requires a considerable amount of time and dedication. He stated that it is hoped that the lines of communication will continue to improve among School Board and City Council members.

Council Member Carder expressed appreciation for the work of the School Board and its accomplishments in the areas of school accreditation, school improvements, and the comprehensive plan; however, he emphasized the importance of State funding and expressed frustration over a \$1.3 billion shortfall at the State level which could represent as much as \$15 million to the school system. He stated that the City of Roanoke will be faced with cutting important programs in order to find sufficient dollars to get by. He advised that the citizens of the City of Roanoke want quality education for their children and they are willing to pay for it, but it will be necessary to forge alliances and the School Board and City Council must stand united in their efforts to do their best for the citizens of the City of Roanoke.

Council Member Cutler spoke in support of proceeding with improvements to the two high schools, continuation of the Character Counts in Education Program, and as incoming President of a local civic organization, he offered to solicit more volunteers to work in the reading programs at elementary schools throughout the City of Roanoke.

Council Member Dowe commended the School Board and those persons in leadership roles for their contributions. He also commended teachers for the important role they play in Roanoke's school system and advised that in his position with First Union National Bank, he has an opportunity to interact with representatives of potential new businesses looking to locate in the Roanoke area and they commend the City of Roanoke on the caliber of its educational system. He reiterated the need to continue with efforts to market the City of Roanoke and its school system.

Vice-Mayor Harris advised that being the father of three children who are enrolled in the Roanoke City School System, he appreciates the positive experiences, the quality education, and the safe environment that is provided for all of Roanoke's children.

At the last Council/School Board retreat, Council Members and School Trustees adopted a “buddy” system; whereupon, it was the consensus that the following Council/School Board members would be “buddies”:

|                          |   |                        |
|--------------------------|---|------------------------|
| Mayor Smith              | - | Chairperson Manns      |
| Council Member Bestpitch | - | School Trustee Lindsey |
| Council Member Carder    | - | School Trustee Day     |
| Council Member Cutler    | - | Vice-Chair Willson     |
| Vice-Mayor Harris        | - | School Trustee Ellison |
| Council Member Dowe      | - | School Trustee Sparrow |
| Council Member Wyatt     | - | School Trustee Payne   |

The City Manager advised that the City Manager and the Superintendent of Schools participate in a “buddy” system and meet on a monthly basis to discuss matters of interest, they feel the freedom to contact each other on issues that may arise in between, and it is hoped that their relationship is reflected in the way that the two staffs work together. She stated that it is hoped that the Council and the School Board will schedule another joint retreat before the end of the calendar year. She called attention to difficult financial challenges in the future and advised that Council has shown unparalleled support for funding of public education. As one of the 14 member cities to the Virginia Coalition of Cities, she stated that the City of Roanoke went on record during the 2002 Session of the General Assembly that it would support any legislation that provides for education and/or transportation as the City’s top two priorities. She advised that the City of Roanoke wants to work with the School Board and there will be a coming together on certain legislative issues; however, the School Board has access to an even larger constituency than the Members of City Council because the School Board can reach citizens through the children enrolled in the school system, therefore, the City of Roanoke may need to call on the School Board to marshal parents to be a part of the solution that says to elected officials that localities want more money and they are willing to pay for the education of their children.

#### **REMARKS OF SCHOOL TRUSTEES AND THE SUPERINTENDENT:**

School Trustee Ellison called attention to the formation of the Roanoke Valley School Board Consortium, which is composed of the localities of the City of Roanoke, Roanoke County, City of Salem, Franklin County, Craig County, Botetourt County and Bedford. She advised that the School Board Consortium was established because of the power of numbers and to enable the area to plan for and highlight its needs, particularly related to construction, facilities, capital needs, etc. She noted that she, along with School Trustee Webster Day, represent the City of Roanoke on the Consortium, and September 16 is Legislator Week at which time various localities will meet with their area legislators to call attention to the neediest schools in the region. She advised that a meeting will be held during the latter part of September to discuss capital needs for the next five years by the various school divisions and a meeting will be scheduled in late October or mid November including all member locality legislators, governing bodies and School Boards; whereupon, she requested that Council endorse the concept.

Chairperson Manns advised that she is proud of Roanoke's school system and the working relationships between City Council Members and School Trustees. She spoke in support of a joint planning session of Council and the School Board, and the need to market the City of Roanoke and its school system.

School Trustee Payne commended the positive working relationship between City Council and the School Board. She spoke in support of the "buddy" system which helps to keep the lines of communication open and advised that she looks forward to a continuing good working relationship.

School Trustee Sparrow expressed appreciation for the opportunity to serve on the School Board, and stated that his sole purpose in serving is to meet the needs of the children of the City of Roanoke.

School Trustee Lindsey expressed appreciation for the opportunity to serve on the School Board. He stated that like serving on City Council, serving on the School Board is a public service, and he would like to do his part to ensure that Roanoke has the very best school system that creates opportunities for children and families, for the community and for the City of Roanoke in general.

Superintendent Harris advised that he is beginning his tenth year of service as Superintendent of Schools in the City of Roanoke, and he has served with 19 individual School Board members who have, at one time or another, made up the seven member School Board. He expressed appreciation to Council for the seriousness with which it makes appointments to the School Board and for the caliber of School Board Members that have been appointed. He stated that when one looks at school systems that experience frequent turn over in the position of Superintendent, all data points to the fact that it is due to contentious relations between the School Board and the Superintendent; however, he has not had that kind of relationship because he has worked with School Boards whose primary mission and purpose is to take action on behalf of what is in the best interest of the children. He encouraged that Council continue to appoint School Trustees who have the children as their first interest.

The Mayor expressed appreciation to the Members of Council and to the School Board for the meaningful dialogue that was shared. He called attention to the need to discuss ways to educate all of Roanoke's citizens in furthering their education. He referred to discussions regarding the Council's domain and the School Board's domain, but stated that it is important to remember that both bodies are accountable to the citizens. He commended the working relationship between Council and the School Board and encouraged both groups to continue their positive relationship for the benefit of the children and citizens of the City of Roanoke.

**OTHER BUSINESS: NONE.**

At 6:50 p.m., the Mayor declared the meeting in recess until 7:00 p.m., in the City Council Chamber.

At 7:00 p.m., on Monday, September 16, 2002, the City Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Ralph K. Smith presiding.

**PRESENT:** Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, and Mayor Ralph K. Smith--6.

**ABSENT:** Council Member Linda F. Wyatt-----1.

**OFFICERS PRESENT:** Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

#### **PUBLIC HEARINGS:**

**BUDGET-CMERP:** Pursuant to instructions by Council, the City Clerk having advertised a public hearing for Monday, September 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to consider a proposal to adjust the aggregate amount of the City of Roanoke annual budget in connection with appropriation of funds for its Capital Maintenance and Equipment Replacement Program (CMERP), the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, September 8, 2002, and in The Roanoke Tribune on Thursday September 12, 2002.

The City Manager submitted a communication advising that Section 2-189, Code of the City of Roanoke, (1979), as amended, establishes a reserve from the year-end General Fund balance for the funding of capital improvements and Capital Maintenance and Equipment Replacement (CMERP); the amount reserved from the undesignated fund balance is calculated as ten per cent of total General Fund appropriations, less any sums paid for General Fund debt service during the fiscal year; the fiscal year 2001-02 General Fund annual designation for CMERP is \$3,229,149.00; and in addition, \$100,000.00 remains unspent from fiscal year 2000-01 CMERP, resulting in a total available for appropriation for the CMERP program of \$3,329,149.00.

It was further advised that in fiscal year 2002, the City changed its period of availability under modified accrual accounting to recognize revenue receivables at June 30 and received within 60 days of year end, which resulted in a one-time restatement of fund balance in the amount of \$1,753,440.00, which resulted in total fiscal year 2002 CMERP available to the City of \$4,982,589.00; additional funding of \$308,974.00 resulting from the residual equity transfer from closing of the Materials

Control Fund is also available; the remaining balance is a result of a significant retained earnings balance built up over several years by the Materials Control Fund overhead rate; the total of these two one-time funding sources is \$2,062,414.00, bringing the total funding available for appropriation to \$5,391,563.00; in response to concerns stated by Council at its August 5, 2002 CMERP briefing, it is recommended that these additional one-time funds be appropriated to a reserve account, and not be expended at this time, in anticipation of possible budget adjustments that may be necessary due to downward adjustments in State revenue forecasts; and in accordance with priorities presented to Council in a "Budgeting for Capital Needs" memorandum dated August 20, 2002, the recommended CMERP spending plan addresses the following categories:

|  |                       |
|--|-----------------------|
| Required Contributions                 | \$ 349,127.00         |
| Capital Projects                       | 1,232,723.00          |
| Fixed Asset Maintenance                | 638,106.00            |
| Technology Upgrades                    | 400,000.00            |
| Vehicular Replacements                 | 275,000.00            |
| Operational Equipment<br>and Furniture | 434,193.00            |
| Reserve Funds                          | <u>2,062,414.00</u>   |
| Total                                  | <u>\$5,391,563.00</u> |

It was explained that department CMERP funding requests totaled approximately \$14.3 million in non-technology and non-vehicular related items/initiatives; requests for technology related items/initiatives totaled an additional \$2.3 million; technology requests are reviewed and prioritized by the Information Technology Committee, and a separate report on Council's agenda recommends appropriation of funds for technology needs; all vehicular requests are reviewed by the Fleet Management Division Manager and evaluated based upon an approved set of replacement criteria; in addition to qualifying under the recently approved replacement criteria policy, each vehicle will be evaluated on its utilization and standard usage; a utilization policy and standard usage policy are currently under development and are scheduled for completion by the end of the calendar year; a preliminary evaluation of the City's fleet based on replacement criteria identified \$2.9 million in vehicles to be replaced or purchased in fiscal year 2003; cash funding of \$1,500,000.00 is available, leaving a balance of approximately \$1,400,000.00 to fund through capital lease financing; this would be the third year of the fleet lease program; and the capital lease funding option will be re-evaluated after considering the impact of State budget cuts on the City's budget and a final recommendation as to fleet purchases will be presented to Council later in the fiscal year.

The City Manager recommended that Council concur in CMERP funding recommendations and appropriate funds to specific accounts as set forth in Attachment 1 to the communication.

Mr. Dowe offered the following budget ordinance:

**(#36072-091602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General, Civic Center, Parking, Capital Projects, and Fleet Management Funds Appropriations, and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 66, page 425.)**

**Mr. Dowe moved the adoption of Ordinance No. 36072-091602. The motion was seconded by Mr. Carder.**

**The Mayor inquired if there were persons present who would like to be heard in connection with the matter. There being none, he declared the public hearing closed.**

**Ordinance No. 36072-091602 was adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.**

**NAYS: None-----0.**

**(Council Member Wyatt was absent .)**

**A communication from the City Manager advising that in a report dated September 16, 2002, Council was asked to approve a recommendation that \$400,000.00 of the Fiscal Year 2001-02 General Fund balance designated for the Capital Maintenance and Equipment Replacement Program be allocated for technology needs; in addition, the Department of Technology, an internal service fund, has retained earnings available for appropriation of \$1,000,000.00 that can be allocated for current technology needs, for a total of \$1,400,000.00; the Information Technology Committee (ITC) has completed an Information Technology Strategic Plan for the City of Roanoke and has developed a list of priority projects and equipment needs that have been determined to be supportive in meeting the goals of the plan; one key area of progress under the strategic plan is the Personal Computer Replacement Program; since the program began in 2001, more than 600 personal computers have been replaced, with the goal to replace another 250 units this year; and as the City moves forward with replacements, retired equipment will be re-used where less powerful personal computers are appropriate.**

**It was further advised that another key project in this year's plan is an upgrade of the City's mainframe operating system, which will provide opportunities to enhance support of mainframe applications and improve integration of financial applications at a total cost of \$1,400,000.00; and all items will be purchased in accordance with requirements of the City's Procurement Code.**

The City Manager recommended that Council adopt a measure appropriating funds to new or existing project accounts to be established by the Director of Finance to support strategic technology needs and enhancements.

Mr. Dowe offered the following budget ordinance:

(#36073-091602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Department of Technology Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 66, page 430.)

Mr. Dowe moved the adoption of Ordinance No. 36073-091602. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was absent.)

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

BONDS/BOND ISSUES-PARKS AND RECREATION-HIGHER EDUCATION CENTER: Michael Woods, a Political Director for Foundation 2002, which is the political campaign for the higher education/parks and recreation bond initiative, appeared before Council and advised that in November 2002, voters of Virginia will be asked to approve the issuance of \$900 million worth of bonds for higher education and \$119 million of bonds for parks and natural areas. He explained that if passed by the voters of Virginia, the parks and natural resources bond referendum would provide \$119 million to help the environment, preserve valuable, irreplaceable park and open space and natural areas of land for future generations of Virginians, and enhance the existing 34 State parks. He explained that funds will be used to purchase land for three new state parks, additional land for 11 existing parks, ten new natural area preserves, additions to eight existing preserves, and more than 70 park improvement projects will be accomplished without a tax

increase. He stated that last year, Virginia parks were named the best run parks in the United States of America, despite a national ranking of 50<sup>th</sup> in percentage of the State budget that was spent on parks; however, that national standing could slip if Virginians do not invest in their parks on November 5, 2002. He noted that in addition to purchasing future parks, passage of the land initiative will ensure that the Commonwealth of Virginia will acquire the land while real estate prices are reasonable and allow for construction, repair and improvement projects in all of Virginia's 34 state parks, as well as new recreational resources, new or improved cabins, camp grounds, visitor centers, trails and other offerings, and thereby provide park employees with more time to help visitors better enjoy Virginia's state parks and natural resources. He advised that currently, Virginia parks host more than seven million visitors per year which is a dramatic increase over the past decade and approximately 40 per cent of park visitors come from outside the Commonwealth of Virginia, therefore, state parks help pump more than \$140 million into local economies across the state. He further advised that approval of the bond would mean the future protection of Virginia's sensitive land and open spaces, both as State parks and as natural areas. He stated that ten years ago, Virginians were asked to approve the bond for state parks and because voters had the forethought to approve the referendum in 1992 by over 64 per cent, today Virginia enjoys four new state parks, new natural areas, new visitor's centers, cabins, camp grounds and other facilities. He advised that Governor Warner and nearly all of the General Assembly, both Republican and Democrat, support passage of the bond; whereupon, he requested that Roanoke City Council adopt a resolution in support of the parks and recreation and higher education bond initiatives which will bring \$1.53 billion into the Commonwealth of Virginia and create 14,000 new jobs.

Mr. Harris offered the following resolution:

(#36074-091602) A RESOLUTION endorsing the proposed issuance of general obligation bonds of the Commonwealth of Virginia relating to parks and recreational facilities, which will be considered by the electorate in a statewide referendum to be held on November 5, 2002, and encouraging the citizens of the Commonwealth to support this bond referendum.

(For full text of Resolution, see Resolution Book No. 66, page 433.)

Mr. Harris moved the adoption of Resolution No. 36074-091602. The motion was seconded by Mr. Cutler and adopted by the following vote:

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, and Harris-----5.**

**NAYS: None-----0.**

**(Mayor Smith voted present.) (Council member Wyatt was absent.)**

**Mayor Smith advised that he would neither vote for and against Resolution No. 36074-091602 because a public hearing has not been held to receive citizen input.**

**Mr. Cutler offered the following resolution:**

**(#36075-091602) A RESOLUTION endorsing the proposed issuance of general obligation bonds of the Commonwealth of Virginia relating to higher education and museum facilities, which will be considered by the electorate in a statewide referendum be held on November 5, 2002, and encouraging the citizens of the Commonwealth to support this bond referendum.**

**(For full text of Resolution, see Resolution Book No. 66, page 435.)**

**Mr. Cutler moved the adoption of Resolution No. 36075-091602. The motion was seconded by Mr. Harris and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, and Harris -----5.**

**NAYS: None-----0.**

**(Mayor Smith voted present.) (Council Member Wyatt was absent.)**

**Mayor Smith advised that he would neither vote for or against Resolution No. 36075-091602 because a public hearing has not been held to receive citizen input.**

**COMPLAINTS: Ms. Eleanor Casey, 1520 Shamrock Street, N. W., expressed concern with regard to a “modular” home which was moved to the corner of Shamrock Street and Westside Boulevard, N. W. She expressed further concern that citizens of the area were not notified of the proposed action, the home does not fit in with the overall character of the neighborhood and is in poor condition, devaluation of other properties in the neighborhood, the house is not horizontally in line with other houses on the street, and whether or not the house will be hooked up to the City’s sanitary sewer system.**

Ms. Gloria Dowe, 3702 High Acres Road, N. W., presented a petition signed by over 100 persons in opposition to relocation of the house in the Westside Boulevard area.

Ms. Gwendolyn Dudley, 1605 Lancaster Drive, N. W., advised that the house is directly across the street from Westside Elementary School, it blocks the view of the neighborhood, and does not conform with the overall character of the neighborhood which consists of tree lined streets, brick homes, and houses that are lined up horizontally. She pointed out that if residents wish to make improvements to their homes, they are required to abide by City regulations, yet the City of Roanoke advises that it has no guidelines addressing a situation such as the house in question. She stated that the house is an eyesore to the neighborhood and inquired if City officials would want the house in their neighborhood.

The City Manager advised that the structure is not a "modular" home, but a home that was moved from another location to the corner of Shamrock Street and Westside Boulevard, N. W. She noted that the necessary permits have been applied for and issued by the City of Roanoke, and she was not aware of any type of intervention that the City could offer on behalf of the neighborhood.

**COMPLAINTS:** Mr. and Mrs. David Renger, 1157 Kerns Avenue, S. W., addressed Council with regard to an asthma condition of their six year old son, which is aggravated by smoke from chimineas in the neighborhood. They requested that the City Roanoke prohibit the use of chimineas.

The matter was referred to the City Manager and the City Attorney for investigation and report to Council. It was suggested that other localities be surveyed in regard to regulations, if any, governing the use of chimineas.

At 8:00 p.m., the Mayor declared the meeting in recess for continuation of one closed session.

At 8:15 p.m., the Council meeting reconvened in the City Council Chamber with all Members of the Council in attendance, with the exception of Council Member Wyatt, Mayor Smith presiding.

**COUNCIL:** With respect to the Closed Meeting just concluded, Mr. Harris moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such

public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was absent.)

**OATHS OF OFFICE-ARCHITECTURAL REVIEW BOARD:** The Mayor advised that the terms of office of Robert B. Manetta and Kevin A. Deck as members of the Architectural Review Board will expire on October 1, 2002, and called for nominations to fill the vacancies.

Mr. Harris placed in nomination the names of Kyle G. Ray and Robert B. Manetta.

There being no further nominations, Mr. Ray was appointed and Mr. Manetta was reappointed as members of the Architectural Review Board, for terms commencing October 2, 2002, and ending October 1, 2006, by the following vote:

FOR MESSRS RAY AND MANETTA: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.

(Council Member Wyatt was absent.)

**OATHS OF OFFICE-PENSIONS:** The Mayor advised that there is a vacancy on the Board of Trustees, City of Roanoke Pension Plan, to fill a position that rotates between the City of Roanoke, City of Roanoke School Board, Roanoke Regional Airport Commission, Roanoke Valley Resource Authority and the Roanoke Valley Detention Commission; whereupon, he called for nominations to fill the vacancy.

Mr. Harris placed in nomination the name of Efren T. Gonzalez (representative of the Roanoke Regional Airport Commission).

There being no further nominations, Mr. Gonzalez was appointed as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term ending June 30, 2006, by the following vote:

**FOR MR. GONZALEZ: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.**

**(Council Member Wyatt was absent.)**

**Mr. Harris moved that the City of Roanoke residency requirement be waived. The motion was seconded by Mr. Dowe and adopted.**

**OATHS OF OFFICE-FIFTH PLANNING DISTRICT COMMISSION: The Mayor advised that there is a vacancy on the Roanoke Valley-Alleghany Regional Commission, created by the resignation of Evelyn S. Lander, resigned, and called for nominations to fill the vacancy.**

**Mr. Harris placed in nomination the name of R. Brian Townsend.**

**There being no further nominations, Mr. Townsend was appointed as a member of the Roanoke Valley-Alleghany Regional Commission to fill the unexpired term of Evelyn S. Lander, resigned, ending June 30, 2003, by the following vote:**

**FOR MR. TOWNSEND: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.**

**(Council Member Wyatt was absent.)**

**OATHS OF OFFICE-TRAFFIC: The Mayor advised that there is a vacancy on the City of Roanoke Transportation Safety Commission, created by the resignation of Dawn T. Erdman, and called for nominations to fill the vacancy.**

**Mr. Harris placed in nomination the name of E. W. Tibbs.**

**There being no further nominations, Mr. Tibbs was appointed as a member of the City of Roanoke Transportation Safety Commission, for a term ending October 31, 2004, by the following vote:**

**FOR MR. TIBBS: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.**

**(Council Member Wyatt was absent.)**

Mr. Harris moved that the City of Roanoke residency requirement be waived. The motion was seconded by Mr. Dowe and adopted.

**OATHS OF OFFICE-BUILDINGS/BUILDING DEPARTMENT:** The Mayor advised that the term of office of Barry W. Baird as a member of the New Construction Code, Board of Appeals, will expire on September 30, 2002, and called for nominations to fill the vacancy.

Mr. Harris placed in nomination the name of Barry W. Baird.

There being no further nominations, Mr. Baird was reappointed as a member of the New Construction Code, Board of Appeals, for a term ending September 30, 2007, by the following vote:

**FOR MR. BAIRD:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.

(Council Member Wyatt was absent.)

**OATHS OF OFFICE-ROANOKE CIVIC CENTER:** The Mayor advised that the terms of office of Mark E. Feldmann and Sandra W. Ryals as members of the Roanoke Civic Center Commission will expire on September 30, 2002; Ms. Ryals has declined to serve another term, and called for nominations to fill the vacancies.

Mr. Harris placed in nomination the names of Mark E. Feldmann and Paul P. Anderson.

There being no further nominations, Mr. Feldmann was reappointed and Mr. Anderson was appointed as members of the Roanoke Civic Center Commission, for terms ending September 30, 2005, by the following vote:

**FOR MESSRS. FELDMAN AND ANDERSON:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.

(Council Member Wyatt was absent.)

At 8:20 p.m., the Mayor declared the meeting in recess to be reconvened on Wednesday, September 18, 2002, at 7:00 p.m., in the Virginia Room of The Hotel Roanoke, for a dinner meeting with Ian Lockwood, Senior Transportation Engineer, Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.

The City Council meeting reconvened on Wednesday, September 18, 2002, at 7:15 p.m., in the Virginia Room, The Hotel Roanoke, for an informal dinner meeting with Ian Lockwood, Senior Transportation Engineer with the firm of Glatting Jackson Kercher Anglin Lopez Rinehart, Inc., which is located in the State of Florida.

**PRESENT:** Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Linda F. Wyatt and Mayor Ralph K. Smith (arrived at 8:20 p.m.)-----5.

**ABSENT:** Vice-Mayor C. Nelson Harris and Council Member Alfred T. Dowe, Jr.-----2.

**OFFICERS PRESENT:** Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

**OTHERS PRESENT:** Ian Lockwood, Senior Transportation Engineer, Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.; Fredrick Williams, First Vice-Chairperson, Roanoke Neighborhood Partnership Steering Committee; R. Brian Townsend, Director, Department of Planning and Code Enforcement; Kenneth H. King, Manager, Streets and Traffic; and Stephen S. Niamke, Neighborhood Partnership Coordinator.

**TRAFFIC-PLANNING-ROANOKE NEIGHBORHOOD PARTNERSHIP:** Mr. Lockwood, a traffic calming specialist, visited the City of Roanoke at the invitation of the Roanoke Neighborhood Partnership Steering Committee.

The Members of Council, City staff and the first Vice-Chair of the Roanoke Neighborhood Partnership Steering Committee engaged in conversation with Mr. Lockwood over dinner.

Following tours of the City of Roanoke and meetings with City Council, neighborhood representatives, and civic and business leaders, Mr. Lockwood was scheduled to speak at a public meeting to be held on Thursday, September 19, 2002, at 6:30 p.m., at the Lucy Addison Middle School Auditorium, with regard to ways to re-create City streets as inviting public places.

**The City Council meeting was adjourned at 10:15 p.m.**

**A P P R O V E D**

**ATTEST:**

**Mary F. Parker**  
**City Clerk**

**Ralph K. Smith**  
**Mayor**

-----

**MINUTES OF ROANOKE CITY AUDIT COMMITTEE****October 15, 2002****1. CALL TO ORDER:**

The meeting of the Roanoke City Audit Committee was called to order at 1:00 p.m. on Tuesday, October 15, 2002, with Chair, Linda F. Wyatt, presiding.

- **The roll was called by Mrs. Powers**

**Audit Committee**

**Members Present:** Linda F. Wyatt, Chair  
William D. Bestpitch  
William H. Carder  
Dr. M. Rubert Cutler  
Alfred T. Dowe, Jr.

**Others Present:**

Drew Harmon, Municipal Auditor  
Darlene L. Burcham, City Manager  
William M. Hackworth, City Attorney  
Jesse A. Hall, Director of Finance  
Rolanda Johnson, Asst. City Manager for Community Development  
Chip Snead, Asst. City Manager for Operations  
Major James Brubaker, Sheriff's Department  
Ann Shawver, Deputy Director of Finance  
Chris Slone, Public Information Officer  
Mike Tuck, Assistant Municipal Auditor  
Pamela Mosdell, Senior Auditor  
Kevin Nicholson, Senior Auditor  
Brian Garber, Senior Auditor  
Evelyn Powers, Administrative Assistant  
Todd Jackson, Roanoke Times Reporter

**2. INTERNAL AUDIT REPORTS:**

- A. Data Mining
- B. Sheriff Canteen and Jail Inmate Fund
- C. Police Department Cash Funds
- D. Civic Center
- E. Audit Findings Follow-Up

Mrs. Wyatt ordered that the internal audit reports be received and filed. There were no objections to the order. Mrs. Wyatt recognized Mr. Harmon for comments.

Mr. Harmon reported that each in-charge auditor would brief the Committee on the individual reports. Pamela Mosdell briefed the Committee on the Data Mining audit

report. Mr. Dowe asked if this was something that the audit department has done before. Mr. Harmon responded that this was the first time that the audit department had used this technique. Mr. Dowe said that he hoped that the audit department would continue performing this type of audit work. There were no further questions.

Mr. Harmon reported to the Committee that the Auditor of Public Accounts had revised the specifications regarding the Sheriff's annual audit. Mr. Nicholson who was the in-charge auditor briefed the Committee on the audit. Dr. Cutler asked what type of expenditures was purchased from the Canteen account. Mr. Nicholson reported that they purchased items such as uniforms, shoes, and bedding. Mr. Harmon responded that they also purchased items such as newspapers and magazines to benefit all inmates. Mrs. Wyatt requested that we describe some to the recommended accounting changes. Mr. Harmon reported that the audit looked at three different areas in addition to the routine canteen fund audit. The areas were the work release program, telephone commissions, and medical co-payments. Mr. Harmon said that these funds were hard to follow because the funds are commingled. Mr. Harmon said that the Sheriff and Finance have agreed to track these funds for better accountability. Dr. Cutler asked about the medical co-payment. Major Brubaker explained that the inmates paid a \$10 medical co-payment for medical and a \$5 co-payment for prescription drugs. Major Brubaker said that no inmate is ever denied medical benefits. Mrs. Wyatt said that she was happy to witness how well the Sheriff and the audit department worked together.

Mr. Garber briefed the Committee on the Police Department Cash Funds audit. Mr. Garber reported that there were no reportable findings. Mr. Carder said to inform the Chief on a job well done. There were no further questions.

Mrs. Mosdell briefed the Committee on the Civic Center audit. Mr. Bestpitch was concerned that management's response regarding the findings did not respond to the recommendations by auditing. Mr. Harmon responded to the Committee that he gave management little time to respond to the report. Mr. Harmon said that the Purchasing Department is working on a Purchasing Manual and that the draft clearly states that all departments must go through the Purchasing Department in regards to procurement activities such as the findings at the Civic Center. Ms. Burcham said that the purchasing concerns have been discussed with the entire organization and that the entire organization has increased responsibility and accountability in regards to the purchasing activities of the City. Mr. Bestpitch said that his concern was to have these activities apply across the board and to get the situation straight. Ms. Burcham said that as soon as the problem at the Civic Center was identified that management took immediate steps to correct the situation and a different approach is now in place. Ms. Burcham said that this is a good reason for having an audit department they identify areas of weakness and recommend ways to provide better systems and internal controls. Mr. Bestpitch asked if the City was going to go through an outside vendor to provide part-time staffing at the Civic Center. Ms. Burcham said that at the present time she did not see any reason why the City needed to use an outside vendor. She said that she did not want to say never because things could change, but for now all related departments such as Finance, Human Resources, City Attorney's Office, and

Purchasing had met and agreed that the City could handle the hiring of the part-time staff at the Civic Center. Mr. Dowe asked what other additional work was planned for the Civic Center. Mr. Harmon reported to the Committee that he plans on looking at the event accounting records as soon as new accounting staff is hired. Mr. Harmon reported that the current Accountant is retiring in November. There were no further questions.

Mr. Harmon briefed the Committee on the Audit Findings Follow-Up audit. Mr. Harmon reported to the Committee that the departments had done an outstanding job clearing the findings and that 48 of the 54 findings were satisfied. Mr. Carder thanked the City Manager for her outstanding role in making sure these items were taken care of, and the Auditing department for a thorough job. Mr. Bestpitch asked if there were any reports on the results of the fuel tank leak test to ensure that the City was in compliance with environmental regulations. Mr. Bestpitch wanted to make sure that no tanks tested positive for leaks. Mrs. Mosdell said there were no problems with the test.

### **3. UNFINISHED BUSINESS:**

#### **A. Retirement Audit Report – Update from Director of Finance**

Mr. Hall reported to the Committee that the June 6, 2002 Audit Committee agenda included a report on retirement. This report has a finding regarding a \$1,300 expenditure that did not comply with City Administrative policies. Mr. White, the former Audit Committee Chairman, recommended that this issue be discussed with the Pension Board of Trustees. On October 9, 2002, the Pension Board of Trustees approved a motion to comply with applicable City Administrative Policies and Procedures, unless otherwise provided for in the City Code sections pertaining to Pensions and Retirement, or unless the Board approved in advance, or in the case of an emergency, with permission of the Chair, to deviate from a specific policy. For example, should the Board want to send flowers or some other type of memorial due to the death of a Board member. It was agreed that occurrences of this nature would be infrequent and involve relatively small amounts of funds.

### **4. NEW BUSINESS:**

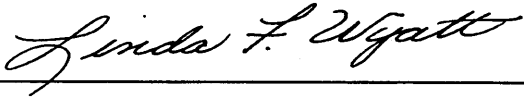
There was no new business to come before the Committee.

### **5. OTHER BUSINESS:**

There was no other business to come before the Committee.

**6. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 1:31 p.m.

A handwritten signature in cursive script, reading "Linda F. Wyatt", is positioned above a horizontal line.

Linda F. Wyatt, Chair

TWENTY-THIRD JUDICIAL CIRCUIT  
OF VIRGINIA

RECEIVED  
CITY CLERKS OFFICE

CLIFFORD R. WECKSTEIN, JUDGE  
ROANOKE CITY COURTHOUSE  
315 CHURCH AVENUE, S. W.  
P. O. BOX 211  
ROANOKE, VIRGINIA 24002-0211  
(540) 853-2435  
FAX (540) 853-1040  
E-MAIL: CLIFFRKE@AOL.COM



COMMONWEALTH OF VIRGINIA

'02 OCT 30 P4:54  
CIRCUIT COURT FOR THE COUNTY OF ROANOKE  
CIRCUIT COURT FOR THE CITY OF ROANOKE  
CIRCUIT COURT FOR THE CITY OF SALEM

October 29, 2002

The Honorable Ralph K. Smith, Mayor  
Members of the City Council  
City of Roanoke  
215 Church Avenue, S.W., Room 452  
Roanoke, Virginia 24011-1594

2002 Report of the Board of Equalization

My Dear Mayor Smith and Members of Council:

I am enclosing the original Report of the Board of Equalization for the taxable year July 1, 2002 to June 30, 2003. The Board considered 62 appeals (38 residential and 24 commercial and industrial), 18 fewer than were heard last year.

William G. Light, who has served with distinction on the Board for many years, and as chairman since 1990, asked that he not be reappointed. The six judges of the Circuit Court of the City of Roanoke appointed Sharon L. Ramsey to succeed Mr. Light.

The members of the Board unanimously requested and recommended that the Board's necessary access to computer service continue, and that future Equalization Boards continue to have separate office space from that occupied by the Office of Real Estate Valuation. It would be extremely helpful to the Board, and beneficial to citizens who bring their concerns before the Board, for the Board to have use of an office that it is not required to share, at least during the period when appeals are being heard and considered. The goal of efficiency in government is not met when Board members must secure their books and records before the Board can recess for lunch.

The members of the Board were unstinting in their praise for Ms. Pat Lamb, who once again served as the Board's clerical secretary. They unanimously expressed gratitude to Will Claytor and the employees of the Office of Real Estate Valuation for their cooperation in supplying property data, meeting with the Board about various properties, and for their accommodating and open attitudes. The Board expressed its trust that similar assistance will be available for future Boards.

The members of the Board also asked me about something that, in the unanimous opinion of the judges of this circuit, is not a judicial question. Rather, it is a policy question, to be answered by Council and the City administration. I therefore pass it on to you without judicial comment:

Members of the Board of Equalization are appointed annually. The term for which they serve is limited by the order of appointment and by the statute and ordinance under which they are appointed. (The law permits their terms to be extended.) Mr. Claytor has discussed with the Board, which in turn has discussed with me, the proposition that the Board might be able to be more immediately responsive to citizen needs if Board members were appointed for longer terms, so that the Board could convene at any time, if necessary.

Currently, the Board is appointed pursuant to the provisions of Virginia Code § 58.1-3370 and Roanoke City Code § 32-39. The state statute provides that "in each tax year immediately following the year a general reassessment or annual or biennial assessment is conducted," the circuit court must appoint a Board of Equalization, whose members' terms will "expire one year after the effective date of the assessment for which they were appointed." Under the City ordinance, by March 1 of each year, the court is to appoint to the Board three persons who are freeholders and citizens of the City. Their terms "expire on the fifteenth day of June of the year in which they are appointed, unless such terms are extended by such court."

In Code § 58.1-3373, the General Assembly provides an alternate procedure for localities that choose to create a "permanent board of equalization":

Any county or city which uses the annual assessment method or the biennial assessment method authorized under § 58.1-3253 in lieu of periodic general assessments, may elect to create a permanent board of equalization in lieu of the board of equalization required under §§ 58.1-3370 and 58.1-3371. Such board shall consist of three or five members to be appointed by the circuit court of such county or city, or the circuit court having jurisdiction within such city, as follows: In the case of a three-member board, one member shall be appointed for a term of one year, one member shall be appointed for a term of two years, and one member shall be appointed for a term of three years. In the case of a five-member board, one member shall be appointed for a one-year term, one member shall be appointed for a two-year term, and three members shall be appointed for a three-year term. However, for any county operating under the county executive form of government, the number of members of the permanent board of equalization shall be no less than three nor more than the number of districts for the election of members of the board of supervisors in the county, and the members of the permanent board of equalization shall be appointed by the circuit court of such county for three-year terms. As the terms of the initial appointees expire, their successors shall be appointed for terms of three years.

The Mayor and Members of City Council

Page 3

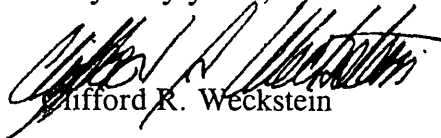
October 29, 2002

Members of such boards shall have the qualifications prescribed by § 58.1-3374, and shall conduct their business as required by § 58.1-3378. The compensation of the members of any such boards shall be fixed by the governing body.

It has been a pleasure for me to be able to work with the members of the Board of Equalization, who appear to have carried out their duties with commitment, dedication, and industry. Please let me know if you have any questions or concerns as a result of this report.

I send best regards.

Very truly yours,



Clifford R. Weckstein

cc: Ms. Darlene L. Burcham, City Manager  
William M. Hackworth, Esquire, City Attorney  
✓ Ms. Mary F. Parker, City Clerk  
Mr. Rutledge W. Robertson, Jr., Chairman, Board of Equalization  
Judges Robert P. Doherty, Jr., Diane McQ Strickland, Jonathan M. Apgar,  
James R. Swanson, Charles N. Dorsey and William D. Broadhurst



# City of Roanoke, Virginia

October 9, 2002

Clifford R. Weckstein  
Judge of the Circuit Court  
City of Roanoke  
Roanoke, Virginia 24011

Dear Judge Weckstein:

We wish to inform you that the Board of Equalization has completed its work for the taxable year July 1, 2002 to June 30, 2003.

The Board received sixty-two (62) appeals. All properties were inspected with the following results:

|    |   |
|----|---|
| 62 | Appeals were considered   |
| 24 | Commercial and Industrial Affirmed Value                        |
| 8  | Commercial and Industrial Decreased Value                       |
| 7  | Commercial and Industrial were withdrawn before site inspection |
| 38 | Residential   |
| 21 | Residential Affirmed Value                                      |
| 16 | Residential Decreased Value                                     |
| 1  | Residential Increased Value                                     |

Orders dated October 7, 2002 were mailed on October 8, 2002 informing each property owner of our decision.

Our thanks to the Office of Real Estate Valuation for their cooperation in supplying property data and their time to meet with us on various properties. We trust that this assistance will be available for future Boards.

It is recommended that future Equalization Boards continue to have access to the computer service in their work. Also, it is recommended that future Equalization Boards continue to have separate office space from the Office of Real Estate Valuation.

*Received & filed  
10/18/02  
llw/ldg*

The Honorable Clifford R. Weckstein

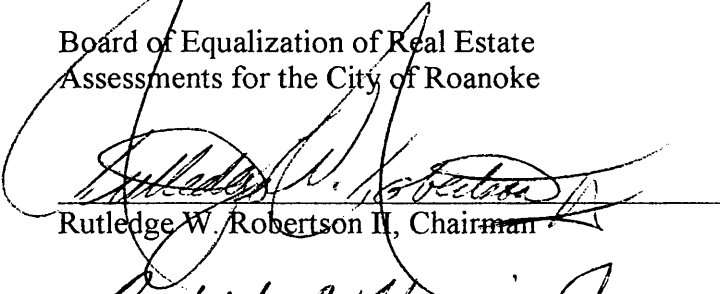
Page 2

October 9, 2002

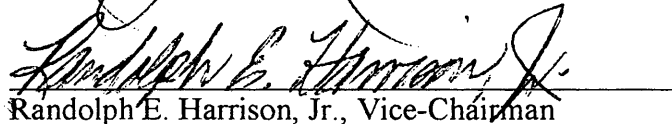
Should you have any questions, please contact us.

Very truly yours,

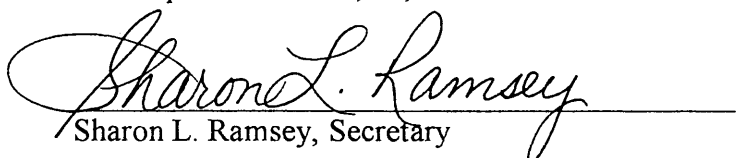
Board of Equalization of Real Estate  
Assessments for the City of Roanoke



Rutledge W. Robertson II, Chairman

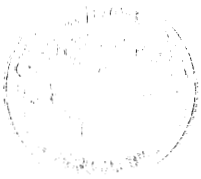


Randolph E. Harrison, Jr., Vice-Chairman



Sharon L. Ramsey, Secretary

RWR/pl



**CITY OF ROANOKE**  
**OFFICE OF THE CITY MANAGER**

Noel C. Taylor Municipal Building  
215 Church Avenue, S.W., Room 364  
Roanoke, Virginia 24011-1591  
Telephone: (540) 853-2333  
Fax: (540) 853-1138  
CityWeb: [www.roanokegov.com](http://www.roanokegov.com)

November 4, 2002

Honorable Ralph K. Smith, Mayor  
Honorable C. Nelson Harris, Vice Mayor  
Honorable William D. Bestpitch, Council Member  
Honorable William H. Carder, Council Member  
Honorable M. Rupert Cutler, Council Member  
Honorable Alfred T. Dowe, Jr., Council Member  
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Property Rights Acquisition for  
Florida Avenue Drainage Project

Dear Mayor Smith and Members of City Council:

The homeowner at 2412 Florida Avenue has experienced drainage problems with an undersized storm drain system for the past 40 years. In the past year, an adjoining church has extended the public storm drain close enough to Florida Avenue that City forces can now extend a new storm drain the remaining distance to the problem area on Florida Avenue. Construction of this storm drain project will require acquisition of drainage easements.

Authorization is needed to move forward with procurement of title work and document preparation related to acquisition of the necessary property rights. See Attachment #1 for a list of properties affected. It is anticipated that the necessary property rights will be donated. See Attachment #2 for exhibit of properties.

Funding of \$3,000 for expenses related to property acquisition is available in capital project account 008-530-9734-9050, Miscellaneous Storm Drains Part 2.

Recommended Action(s):

Authorize the City Manager to acquire all property rights as shown on the attached list. Said property rights may be acquired following a satisfactory environmental site inspection by negotiation or eminent domain, and may include fee simple, permanent easements, temporary construction easements, rights of way, licenses or permits, etc.

Respectfully submitted,

A handwritten signature in cursive script, reading "Darlene L. Burcham".  
Darlene L. Burcham  
City Manager

DLB/SEF

Attachment

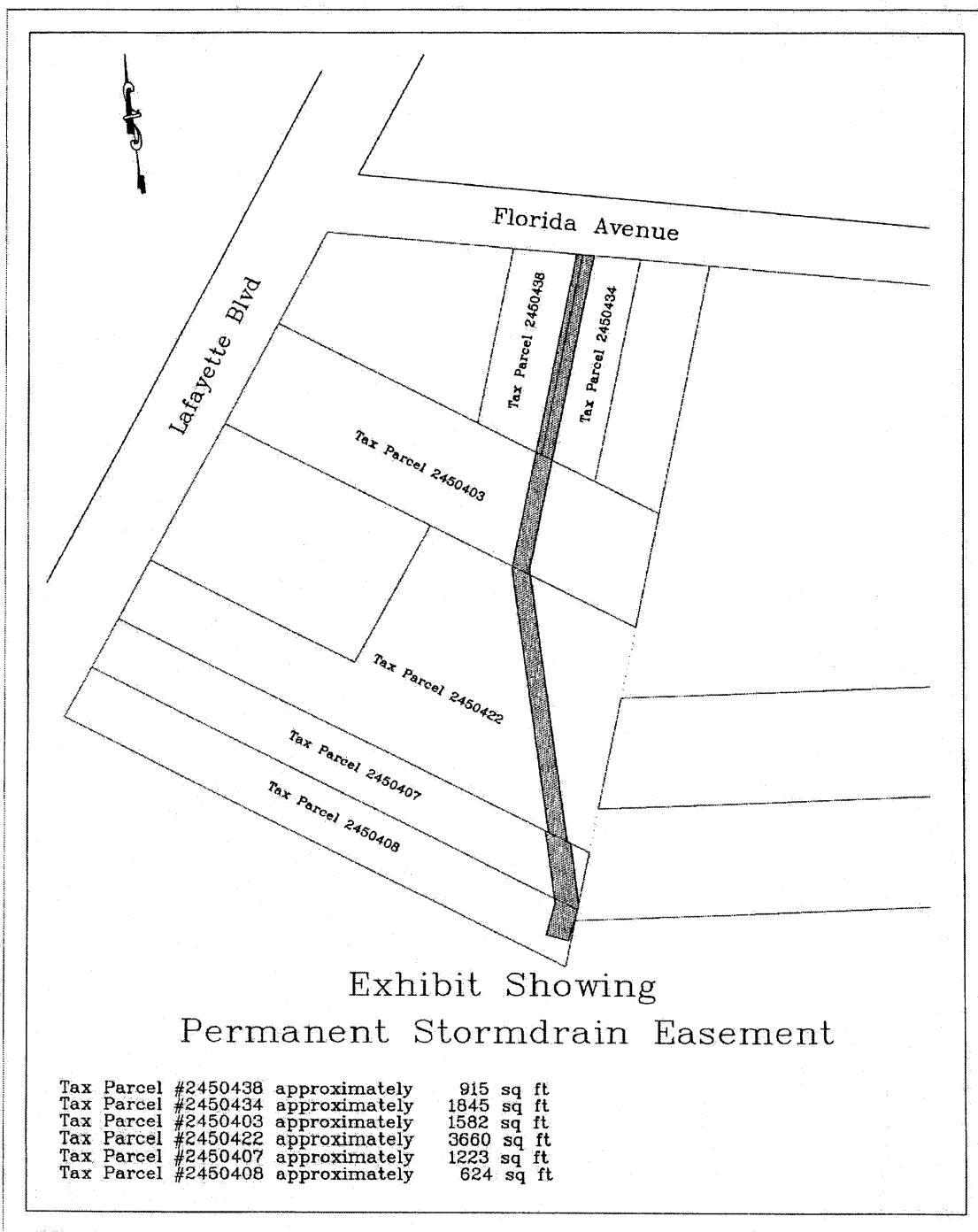
c: Mary F. Parker, City Clerk  
William M. Hackworth, City Attorney  
Jesse A. Hall, Director of Finance  
Philip C. Schirmer, City Engineer

#CM02-00237

## ATTACHMENT 1

### Florida Avenue Drainage Project

| <u>Tax No.</u> | <u>Property Owner</u>           | <u>Property Rights</u> |
|----------------|---------------------------------|------------------------|
| 2450438        | Davis C. Murphy, Jr.            | Drainage Easement      |
| 2450434        | Richard A. Goodman              | Drainage Easement      |
| 2450403        | Rudolph L. King                 | Drainage Easement      |
| 2450422        | High Street Baptist Church Trs. | Drainage Easement      |
| 2450407        | Loretta W. Jones                | Drainage Easement      |
| 2450408        | Herman & Lillian Hensley        | Drainage Easement      |



DLC

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE providing for the acquisition of certain property rights needed by the City for the Florida Avenue Drainage Project; setting a limit on the consideration to be offered by the City; providing for the City's acquisition of such property rights; and dispensing with the second reading of this ordinance by title.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. To provide for the improvement of storm drainage in the vicinity of Florida Avenue, the City wants and needs certain property rights across property bearing Roanoke City Tax Nos. 2450438, 2450434, 2450403, 2450422, 2450407 and 2450408, as set forth in the City Manager's letter and attachment thereto dated November 14, 2002. The proper City officials are authorized to acquire these property rights for such consideration as the City Manager may deem appropriate, subject to the limitation set out below and subject to applicable statutory guidelines. All requisite documents shall be upon form approved by the City Attorney.

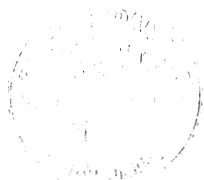
2. The City Manager is directed on behalf of the City to offer the landowners such consideration for the property rights as deemed appropriate; provided, however, the total consideration offered or expended and any and all necessary closing costs, including but not limited to appraisals, title reports, preparation of necessary documents and recordation costs, shall not exceed \$3,000.00 without further authorization of Council. Upon

the acceptance of an offer and upon delivery to the City of deeds, approved as to form and execution by the City Attorney, the Director of Finance is directed to pay the consideration to the owners of the interests conveyed, certified by the City Attorney to be entitled to the same.

3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## **CITY OF ROANOKE OFFICE OF THE CITY MANAGER**

Noel C. Taylor Municipal Building  
215 Church Avenue, S.W., Room 364  
Roanoke, Virginia 24011-1591  
Telephone: (540) 853-2333  
Fax: (540) 853-1138  
CityWeb: [www.roanokegov.com](http://www.roanokegov.com)

November 4, 2002

Honorable Ralph K. Smith, Mayor  
Honorable C. Nelson Harris, Vice Mayor  
Honorable William D. Bestpitch, Council Member  
Honorable William H. Carder, Council Member  
Honorable Rupert M. Cutler, Council Member  
Honorable Alfred T. Dowe, Council Member  
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Contract for Vulnerability  
Assessment, Emergency  
Response/Operating Plan,  
and Security Enhancement  
for the City's Water System

### **Background:**

In response to the attacks of September 11, 2001, the United States Environmental Protection Agency (EPA) received a supplemental appropriation from Congress to improve the safety and security of the nation's water supplies. Grant money from EPA was made available for large systems that serve populations over 100,000 such as is the case with the City of Roanoke's water system.

In December, 2001 the U.S. House of Representatives passed legislation that will require all water utilities serving over 3,300 people to complete vulnerability assessments of their potable water systems.

In April 2002, the Water Division applied for a \$115,000 grant from EPA to be used by the City Water Division in accordance with EPA requirements/guidelines to develop a vulnerability assessment (VA), emergency response/operating plan (EOP), security enhancement and design or a combination of these efforts. Randall Funding and Development, the grant writing firm under contract with the

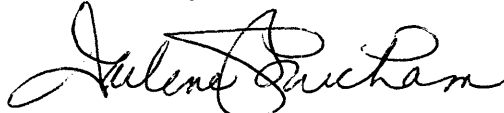
City, assisted in the preparation of grant application materials. This assistance is offered to the City of Roanoke for 100% of all approved costs incurred up to, but not exceeding \$115,000 and the City is under no obligation to provide matching funds. On June 17, 2002 the City received notification from the Environmental Protection Agency stating that the \$115,000 grant application had been approved and Council accepted the grant and appropriated the funding on August 5, 2002.

On August 26, 2002, after proper advertisement, proposals for the above work were received from 11 engineering firms. Three (3) firms were short listed and interviewed. The firm of Tectonic Engineering Consultants P.C. was selected. City staff has negotiated an acceptable agreement for the above work in the form of a lump sum fee of \$89,500.00.

Recommended Action:

Accept the proposal from Tectonic Engineering Consultants P.C. in the amount of \$89,500 and authorize the City Manager to enter into a Contract with such firm for the above work for that amount, with the Contract to be approved as to form by the City Attorney.

Respectfully submitted,



Darlene L. Burcham  
City Manager

DLB:je

c: Mary F. Parker, City Clerk  
William M. Hackworth, City Attorney  
Jesse A. Hall, Director of Finance  
George C. Snead, Jr., Assistant City Manager for Operations  
Mike McEvoy, Director of Utilities  
Jesse H. Perdue, Jr., Water Division Manager  
Phil Schirmer, City Engineer

CM02-00240

P.T.  

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

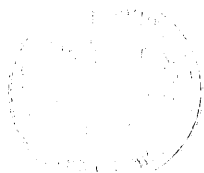
A RESOLUTION authorizing a contract with Tectonic Engineering Consultants P.C. for the development of a vulnerability assessment, emergency response/operating plan, security enhancements and design or a combination of all of these items for the City of Roanoke's water system.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager and the City Clerk are hereby authorized to execute and attest, respectively, a contract with Tectonic Engineering Consultants P.C. for the development of a vulnerability assessment, emergency response/operating plan, security enhancements and design or a combination of all of these items for the City of Roanoke's water system, in the amount of \$89,500, as described in the City Manager's letter to Council dated November 4, 2002.
2. The form of the contract shall be approved by the City Attorney, all as more particularly set forth in the City Manager's letter to this Council dated November 4, 2002.

ATTEST:

City Clerk.



## CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building  
215 Church Avenue, S.W., Room 364  
Roanoke, Virginia 24011-1591  
Telephone: (540) 853-2333  
Fax: (540) 853-1138  
CityWeb: [www.roanokegov.com](http://www.roanokegov.com)

November 4, 2002

Honorable Ralph K. Smith, Mayor  
Honorable C. Nelson Harris, Vice Mayor  
Honorable William D. Bestpitch, Council Member  
Honorable William H. Carder, Council Member  
Honorable M. Rupert Cutler, Council Member  
Honorable Alfred T. Dowe, Jr., Council Member  
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Amendment No. 3 to Community  
Development Block Grant (CDBG)  
Funding Administration Agreement with  
the Roanoke Redevelopment and  
Housing Authority (RRHA)

### Background:

As part of its ongoing efforts to improve public housing at the Lincoln Terrace Development, the RRHA applied for and has been awarded a \$15.1 million HOPE VI Revitalization Grant from the U.S. Department of Housing and Urban Development ("HUD"). In support of the RRHA HOPE VI application, the City committed to provide up to \$3 million in financial assistance from federal and local funding sources for (1) infrastructure costs (\$2.1 million) of the Lincoln 2000/HOPE VI Project and (2) housing rehabilitation and construction funding (\$900,000) in the Washington Park neighborhood. (The \$900,000 for housing assistance is being handled through separate agreements with the Authority). Infrastructure funding to be provided by the City will support improvements in public rights-of-way and publicly dedicated easements, including, but not limited to, construction and reconstruction of streets, curbs, gutters and sidewalks and water and sewer utilities. Such improvements are described in detail in the Comprehensive Development Plans approved by the City and incorporated by reference into the Agreement. By Budget Ordinance 35262-040201 and Resolution No. 35263-040201, City Council approved the execution of the original Agreement dated July 1, 2000, providing \$600,000.00 from federal and local funding sources. Amendment No. 1 extended the Agreement period from September 30, 2001 to December 30, 2001. Amendment No. 2 extended the Agreement period to June 30, 2003 and increased funding by \$750,000 for additional infrastructure improvements in the project area for a total of \$1.35 million allocated to the project under the Agreement.

Considerations:

The City will provide the RRHA a total of \$2.1 million for infrastructure improvements in three yearly installments, \$600,000, \$750,000, and \$750,000. Of the third installment of \$750,000, City Council authorized the appropriation of \$100,000 of General Funds and \$295,000 of CDBG funds in FY 02. A third amendment to the Agreement with the RRHA is necessary in order to provide the additional funding for the RRHA to continue the infrastructure improvements associated with the Lincoln 2000

project. This allocation will fulfill the City's financial commitment to the RRHA in support of the infrastructure improvements associated with the Lincoln 2000 project. The remaining \$355,000 is to be appropriated as follows:

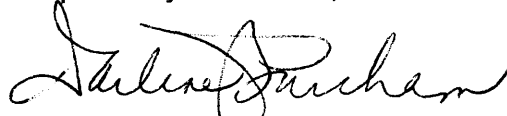
| <u>Source</u> | <u>Account Name</u> | <u>Amount</u> |
|---------------|---------------------|---------------|
| Sewer Fund    | Retained earnings   | \$ 266,000    |
| Water Fund    | Retained earnings   | \$ 89,000     |

Recommended Action:

Authorize the City Manager to execute Amendment No. 3 to the 2000/01 CDBG Agreement with the RRHA, similar in content to Attachment 1.

Appropriate funding in the amount of \$266,000 from the Sewer Fund retained earnings and \$89,000 from the Water Fund retained earnings to accounts in each respective fund entitled "Lincoln 2000/HOPE VI Infrastructure".

Respectfully submitted,



Darlene L. Burcham  
City Manager

Attachment

c: Mary F. Parker, City Clerk  
William M. Hackworth, City Attorney  
Jesse A. Hall, Director of Finance  
Frank Baratta, Budget Team Leader

CM02-00226

# AMENDMENT No. 3

This Amendment No. 3 is made and entered into this \_\_\_\_\_ day of November, 2002, by and between the City of Roanoke ("Grantee") and the Roanoke Redevelopment and Housing Authority ("Subgrantee").

## WITNESSETH:

WHEREAS, by Resolution No. 35263-040201, the Roanoke City Council approved the execution of a subgrant agreement ("Agreement") between the Grantee and the Subgrantee, and by Ordinance No. 35262-040201, appropriated funds therefor; and

WHEREAS, by Resolution No. 3185, the Subgrantee's Board of Commissioners approved the execution of this Agreement between the Grantee and the Subgrantee; and

WHEREAS, the Grantee and the Subgrantee mutually agreed to Amendment No. 1 to this Agreement, which extended the performance period of this Agreement to December 30, 2001; and

WHEREAS, by Resolution No. 35609-101801, the Roanoke City Council approved the execution of this Amendment No. 2 to the Agreement and, by Ordinance No. 35608-101801, appropriated funds therefor; and

WHEREAS, by Resolution No. XXXXX-110402, the Roanoke City Council approved the execution of this Amendment No. 3 to the Agreement and, by Ordinance No. XXXXX-110402, appropriated funds therefor; and

WHEREAS, the Grantee and the Subgrantee mutually desire to continue the infrastructure improvements associated with the Lincoln 2000 Infrastructure Improvements project;

NOW THEREFORE, the Grantee and the Subgrantee do mutually agree to this Amendment No. 3, which increases the funding provided by the Grantee under the Agreement as follows:

\* \* \*

Part 3, BUDGET, shall be revised to read:

### 3. BUDGET:

The total funding provided by the City under this Agreement shall not, without amendment of the Agreement, exceed \$2,100,000. Funding sources and amounts are as follow:

| <u>Source</u> | <u>Amount</u>     |
|---------------|-------------------|
| CDBG Funds    | \$813,000.00      |
| General Funds | 300,000.00        |
| Sewer Funds   | 711,000.00        |
| Water funds   | <u>276,000.00</u> |
| TOTAL         | \$2,100,000.00    |

Expenditures from each funding source will be in accordance with the use limitations given in section 1.b. above.

\* \* \*

The Agreement, dated July 1, 2000, Amendment No.1, dated September 24, 2001, and Amendment No. 2, dated December 30, 2001 shall remain unchanged in all other terms and provisions.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year hereinabove written:

ATTEST:

FOR THE GRANTEE:

By \_\_\_\_\_

By \_\_\_\_\_

Mary F. Parker, City Clerk

Darlene L. Burcham, City Manager

ATTEST:

FOR THE SUBGRANTEE:

By \_\_\_\_\_

By \_\_\_\_\_

Secretary of the Board

John P. Baker, Executive Director

APPROVED AS TO CDBG/HOME ELIGIBILITY

APPROVED AS TO FORM

\_\_\_\_\_  
Dept. of Management and Budget

\_\_\_\_\_  
Assistant City Attorney

APPROVED AS TO EXECUTION

APPROPRIATION AND FUNDS REQUIRED  
FOR THIS CONTRACT CERTIFIED

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Director of Finance

Date \_\_\_\_\_

|            |                                      |
|------------|--------------------------------------|
|            | 002-410-9627-9065 (\$276,000)        |
|            | 003-410-9628-9065 (\$711,000)        |
|            | 008-410-9626-9065 (\$300,000)        |
|            | 035-G01-0137-5296 (\$253,000)        |
|            | 035-G02-0237-5296 (\$265,000)        |
| Acct. Nos. | <u>035-G03-0337-5296 (\$295,000)</u> |

AHS

## IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Water and Water Pollution Control Funds Appropriations and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Water and Water Pollution Control Funds Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

**Water Fund****Appropriations**

|   |              |
|---|--------------|
| Capital Outlay                                | \$ 8,630,419 |
| Hope VI Infrastructure Improvements (1) ..... | 276,000      |

**Retained Earnings**

|  |            |
|--|------------|
| Retained Earnings - Available for Appropriation (2)..... | \$ 496,854 |
|--|------------|

**Water Pollution Control Fund****Appropriations**

|  |              |
|--|--------------|
| Capital Outlay                               | \$63,741,277 |
| Hope VI Infrastructure Improvement (3) ..... | 711,000      |

**Retained Earnings**

|  |              |
|--|--------------|
| Retained Earnings - Available for Appropriation (4)..... | \$ 4,958,752 |
|--|--------------|

- |                             |                     |           |
|-----------------------------|---------------------|-----------|
| 1) Appropriated from        |                     |           |
| General Revenue             | (002-410-9627-9003) | \$ 89,000 |
| 2) Retained Earnings –      |                     |           |
| Available For Appropriation | (002-3348)          | ( 89,000) |
| 3) Appropriated from        |                     |           |
| General Revenue             | (003-410-9628-9003) | 266,000   |
| 4) Retained Earnings -      |                     |           |
| Available for Appropriation | (003-3348)          | (266,000) |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

55T  
10/29/02

IN THE COUNCIL FOR THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the appropriate City officials to execute Amendment No. 3 to the 2000 - 2001 Community Development Block Grant Funding Administration Agreement with the Roanoke Redevelopment and Housing Authority Agreement, providing the necessary funding to continue the infrastructure improvements associated with the Lincoln 2000 HOPE VI Community Revitalization Program Project.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager or Assistant City Manager, and the City Clerk, are hereby authorized, for and on behalf of the City, to execute and attest, respectively, Amendment No. 3 to the 2000 - 2001 Community Development Block Grant Funding Administration Agreement with the Roanoke Redevelopment and Housing Authority Agreement, providing funding to continue the infrastructure improvements associated with the Lincoln 2000 HOPE VI Community Revitalization Program Project, as more particularly set forth in the City Manager's letter dated November 4, 2002, to this Council.

2. Amendment No. 3 shall be approved as to form by the City Attorney.

ATTEST:

City Clerk.



## **CITY OF ROANOKE OFFICE OF THE CITY MANAGER**

Noel C. Taylor Municipal Building  
215 Church Avenue, S.W., Room 364  
Roanoke, Virginia 24011-1591  
Telephone: (540) 853-2333  
Fax: (540) 853-1138  
CityWeb: [www.roanokegov.com](http://www.roanokegov.com)

November 4, 2002

Honorable Ralph K. Smith, Mayor  
Honorable C. Nelson Harris, Vice Mayor  
Honorable William D. Bestpitch, Council Member  
Honorable William H. Carder, Council Member  
Honorable M. Rupert Cutler, Council Member  
Honorable Alfred T. Dowe, Jr. Council Member  
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject:       Driver/Occupant  
              Awareness Grant

### **Background:**

The Virginia Department of Motor Vehicles (DMV) is the administering agency for pass through funds provided by the United States Department of Transportation for highway safety projects in Virginia. DMV offers these funds to successful applicants for activities which improve highway safety in Virginia.

In October 2002, DMV awarded the Roanoke Police Department \$15,000 for overtime and related FICA expenditures associated with conducting selective enforcement activities which target Driving Under the Influence (DUI), speeding, and motor vehicle occupant safety. This is the seventh year Roanoke has received funds under this program.

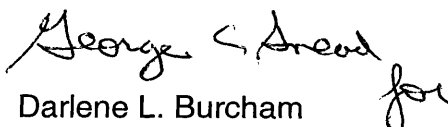
There is a statistically proven proportional correlation between levels of motor vehicle law enforcement and traffic accidents in the City of Roanoke. Historically, speed and alcohol are factors in 17 percent of Roanoke's motor vehicle accidents. This program allows officers to concentrate on alcohol impaired drivers and speeders at times when such violations are most likely to occur.

Honorable Mayor and Members of Council  
November 4, 2002  
Page 2

Recommended Action:

Establish a revenue estimate and appropriate the \$15,000 to grant fund accounts to be established by the Director of Finance. Authorize the City Manager to execute any required documents.

Respectfully submitted,

  
Darlene L. Burcham  
City Manager

DBL:fjd

C: Mary F. Parker, City Clerk  
William M. Hackworth, City Attorney  
Jesse A. Hall, Director of Finance  
Rolanda Johnson, Assistant City Manager  
A. L. Gaskins, Chief of Police

CM02-00241

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

**Appropriations**

|                                       |             |
|---------------------------------------|-------------|
| Public Safety                         | \$2,468,139 |
| DUI Overtime Grant - FY03 (1-2) ..... | 15,000      |

**Revenues**

|                                    |             |
|------------------------------------|-------------|
| Public Safety                      | \$2,468,139 |
| DUI Overtime Grant - FY03 (3)..... | 15,000      |

|                         |                     |           |
|-------------------------|---------------------|-----------|
| 1) Overtime Wages       | (035-640-3415-1003) | \$ 13,934 |
| 2) FICA                 | (035-640-3415-1120) | 1,066     |
| 3) State Grant Receipts | (035-640-3415-3415) | 15,000    |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

## IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

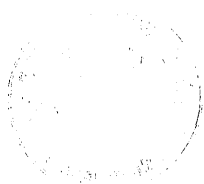
A RESOLUTION accepting the Driving Under the Influence Enforcement Grant offer made to the City by the Commonwealth of Virginia's Department of Motor Vehicles and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke does hereby accept the offer made to the City by the Commonwealth of Virginia, Department of Motor Vehicles of the Driving Under the Influence Enforcement grant in the amount of \$15,000, such grant being more particularly described in the letter of the City Manager, dated November 4, 2002, upon all terms, provisions and conditions relating to the receipt of such funds.
2. The City Manager and the City Clerk, are hereby authorized to execute, seal and attest, respectively, the grant agreement and all necessary documents required to accept this grant, including any documents providing for indemnification from the City that may be required for the City's acceptance of this grant, all such documents to be approved as to form by the City Attorney.
3. The City Manager is further directed to furnish such additional information as may be required by the Commonwealth of Virginia, Department of Motor Vehicles in connection with the City's acceptance of this grant.

ATTEST:

City Clerk



**CITY OF ROANOKE**  
**OFFICE OF THE CITY MANAGER**

Noel C. Taylor Municipal Building  
215 Church Avenue, S.W., Room 364

Roanoke, Virginia 24011-1591

Telephone: (540) 853-2333

Fax: (540) 853-1138

CityWeb: [www.roanokegov.com](http://www.roanokegov.com)

November 4, 2002

Honorable Ralph K. Smith, Mayor  
Honorable C. Nelson Harris, Vice Mayor  
Honorable William H. Carder, Council Member  
Honorable M. Rupert Cutler, Council Member  
Honorable Alfred T. Dowe, Jr., Council Member  
Honorable William D. Bestpitch, Council Member  
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Weed Abatement  
Ordinance

**Background:**

As authorized by State law, City Council has enacted a Weed Abatement Ordinance under Section 33-19 of the Code of the City of Roanoke (1979). The Weed Abatement Ordinance allows the City to inspect for weeds violations on private property. A property is in violation of the ordinance if weeds or grass are 14 inches or higher, and violators are given 10 days to comply with the ordinance.

**Consideration:**

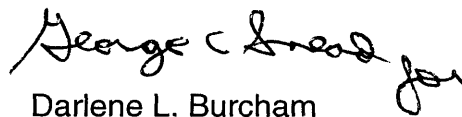
The current Weed Abatement Ordinance requires that weeds or grass be at least 14 inches tall in order to be a violation. After the initial inspection, the property owner is notified via certified mail to abate the violation within ten (10) days

following the mailing of the notice. If the property owner fails to comply within the 10-day period, the case is then turned over to a contractor who mows the property within five (5) days. However, code enforcement records of the Department of Housing and Neighborhood Services indicate that generally by the time the overgrown property is inspected and mowed by the contractor, the weeds or grass has grown to nearly 20 inches tall.

Recommendation:

City Council approve the attached amendment to Section 33-19 of the Code of the City of Roanoke to reduce the height limit for weeds from 14" to 10 inches, and the compliance timeframe from 10 to 7 days following the mailing of the notice; and to issue one notice for similar violations during the period of April 1 until November 1 of the year in which the notice was sent (enabling legislation authorizing the latter provision was authorized by the General Assembly in 2001 at the request of the City). This amendment is part of the City's effort to enhance its code enforcement response time and improve the overall quality of life in residential neighborhoods.

Respectfully Submitted



Darlene L. Burcham  
City Manager

Attachment

c: Mary F. Parker, City Clerk  
William M. Hackworth, City Attorney  
Jesse A. Hall, Director of Finance  
Rolanda Johnson, Asst. City Manager for Community Development  
F. Mike Etienne, Acting Director, Housing and Neighborhood Services

#CM02-00247

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining subsection (g) of §33-17, Definitions; subsections (a), (b) and (d) of §33-20, Notice of removal of weeds; preabatement hearing; and subsection (a) of §33-21, Abatement of public nuisance, of Chapter 33, Vegetation, of the Code of the City of Roanoke (1979), as amended, to amend the definition of weed or weeds, and to amend the numbers of days allowed for abatement of a public nuisance; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Subsection (g) of §33-17, Definitions, subsection (a) of §33-20, Notice of removal of weeds; preabatement hearing, subsection (a) of §33-21, Abatement of public nuisance, of Chapter 33, Vegetation, of the Code of the City of Roanoke (1979), as amended, are hereby amended and reordained to read and provide as follows:

§33-17. Definitions.

For the purpose of this chapter, certain terms and words used herein shall be defined as follows:

\* \* \*

(g) *Weed or weeds* means any plant, grass or other vegetation over ten (10) inches height growing upon private property in the City of Roanoke, including, but not limited to, any sage brush, poison oak, poison ivy,

Ailanthus Altissima (commonly called Tree of Heaven or Paradise Tree), ragweed, dandelions, milkweed, Canada thistle, and any other undesirable growth, excluding trees, ornamental shrubbery, vegetable and flower gardens purposefully planted and maintained by the property owner or occupant free of weed hazard or nuisance, cultivated crops, or undisturbed woodland not otherwise in violation.

\* \* \*

§33-20. Notice of removal of weeds; preabatement hearing.

(a) Notwithstanding the criminal sanctions provided for elsewhere in this Code, and in addition to them, whenever the city manager determines that a public nuisance exists with respect to any parcel, the city manager shall mail by United States postal service certified mail to the owner of the parcel at the owner's address, as determined from public records, written notice that there exists a public nuisance with respect to the parcel and demand the abatement of the nuisance within seven (7) days following the mailing of the notice. Such notice, when so addressed and deposited with the postal service with proper postage prepaid, shall be deemed complete and sufficient. In the event that such notice is returned by the postal authorities or if the owner's address is unknown, the city manager shall cause a copy of the notice to be posted in a conspicuous place on the parcel. The posting shall be accomplished at least seven (7) days prior to abatement of the public nuisance with respect to that parcel.

(b) The notice shall:

\* \* \*

(4) Advise that if the weeds or trash are not removed within the prescribed time, and that if the weeds and trash do not remain abated or removed, the city will proceed to abate the nuisance with the costs thereof together with an administrative fee and interest authorized by this article being specially assessed against the owner and the parcel;

\* \* \*

(d) Any notice sent by the City Manager to any owner of a parcel which, because of weeds or trash, has been declared a public nuisance under

this article and which notice otherwise complies with the requirements of this section, shall constitute complete and sufficient notice for any similar condition during the same period of April 1 until November 1 in which the notice was sent.

§33-21. Abatement of public nuisance.

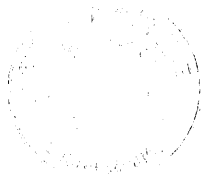
(a) If the owner shall fail or neglect to complete abatement of the public nuisance as required within seven (7) days of mailing of notice or of posting, whichever is applicable, or if the owner fails to continue to comply with the requirements of this section, the city manager may direct in writing that city forces abate or complete the abatement of such public nuisance, or the city manager may contract for this abatement on behalf of the city with a private contractor.

\* \* \*

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



**CITY OF ROANOKE  
OFFICE OF THE CITY MANAGER**

Noel C. Taylor Municipal Building  
215 Church Avenue, S.W., Room 364  
Roanoke, Virginia 24011-1591  
Telephone: (540) 853-2333  
Fax: (540) 853-1138  
CityWeb: [www.roanokegov.com](http://www.roanokegov.com)

November 4, 2002

Honorable Ralph K. Smith, Mayor  
Honorable C. Nelson Harris, Vice-Mayor  
Honorable William D. Bestpitch, Council Member  
Honorable William H. Carder, Council Member  
Honorable M. Rupert Cutler, Council Member  
Honorable Alfred T. Dowe, Council Member  
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Rejection of all Proposal Received in  
Response to RFP #02-07-12 for  
Management of City Market  
Building

**Background:**

The City currently leases the City Market Building at 32 Market Square, to Downtown Associates, LP (Downtown Associates). Downtown Associates has notified the City it will not exercise any options to renew the current agreement. Therefore, Downtown Associates will vacate the facility December 31, 2002. With Council's approval, the City advertised a Request For Proposal (RFP #02-07-12) for "Operational Management for the historic City Market Building" on August 9, 2002. In response to this request the City received three proposals. After receiving the three proposals, city staff reviewed each proposal and listened to oral presentations from each firm.

As the RFPs were being reviewed, new information about the Market Building and its current conditions and operations were being uncovered. Also, as staff continued to research the matter, better information regarding the management approach for similar facilities was identified.

**Considerations:**

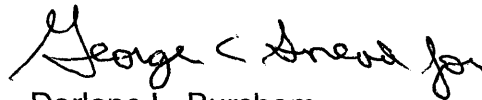
The Market Building is a focal point in the downtown area. It is extremely important that the management company hired be the best company to provide the services needed for the management of this facility. All proposals received attempted to address all points of the RFP; however, as new information has become available it is extremely

important to receive proposals that can respond to this new information and give the city the opportunity to make a most informed decision based on the firm that can best meet the complete needs of the facility.

Recommended Action:

Reject all proposals received in response to RFP #02-07-12 and authorize the City Manager to revise the RFP and re-advertise the revised RFP to secure a management company for the Market Building based on the most current information received about this project.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George C. Burcham for".

Darlene L. Burcham  
City Manager

DLB:slm

c: Mary F. Parker, City Clerk  
William M. Hackworth, City Attorney  
Jesse A. Hall, Director of Finance  
Barry L. Key, Director of Department of Management and Budget  
Robert H. Bird, Acting Purchasing Manager  
Scott L. Motley, Economic Development Specialist

CM02-00242



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

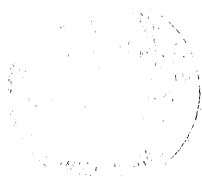
A RESOLUTION rejecting all bids in response to the Request for Proposal for the operational management of the historic City Market Building.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. All bids received by the City in response to the Request for Proposal (RFP #02-07-12) for the operational management of the historic City Market Building, are hereby REJECTED.
2. The City Clerk is directed to notify all bidders and to express to each the City's appreciation for said bids.
3. The City Manager is authorized to make any changes in the scope of the project or the procurement documents deemed advisable and to cause the revised project to be readvertised for bids.

ATTEST:

City Clerk.



## CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building  
215 Church Avenue, S.W., Room 364  
Roanoke, Virginia 24011-1591  
Telephone: (540) 853-2333  
Fax: (540) 853-1138  
CityWeb: [www.roanokegov.com](http://www.roanokegov.com)

November 4, 2002

Honorable Ralph K. Smith, Mayor  
Honorable C. Nelson Harris, Vice Mayor  
Honorable William D. Bestpitch, Council Member  
Honorable William H. Carder, Council Member  
Honorable M. Rupert Cutler, Council Member  
Honorable Alfred T. Dowe, Jr., Council Member  
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Request For Proposal for Mobile  
Incident Based Reporting  
for Police Applications RFP  
No.02-01-05

### Background:

In order to effectively take advantage of the Panasonic CF28 Mobile Computer Terminals (MCTs) that are in use in all 55 Police patrol vehicles and streamline Police Department operations, the City of Roanoke solicited proposals from qualified vendors to provide software and services for the following:

- Virginia State Certified Incident Based Reporting software to be run on Panasonic CF-28 computers in the City's Police Patrol vehicles.
- Develop or assist in the development of both front and backend interfaces to the IBR client application.
- Assist in the implementation of this system and create utilities that further the functionality of this system.

Although Incident Based Reporting (IBR) as a whole requires far more data entry and takes much longer to complete than the previous police-reporting standard, Uniform Crime Reporting (UCR), it was mandated that in 1999 all Police Departments within the Commonwealth of Virginia transition to Incident Based

Reporting. The IBR standard is in compliance with national standards for crime reporting and categorization.

The City of Roanoke Police Department estimates that there are 80 IBR (Incident Based Reports) arrests per day and that a single IBR report can take up to 45 minutes to complete. It is the goal of the City's Police Department to employ MCTs to increase Police Department and Patrol Officer efficiency. By enabling Patrol Officers to enter and validate reports directly on the MCT, eliminates redundant data entry and allows information to enter our Police Records Systems in a more timely manner. This improved process offers greater benefits, including vastly improved crime analysis capacity and the availability of information to citizens, City and Police Department and the media.

Evaluation of current practices, processes and objectives were set forth by the members of the City of Roanoke's Police Department and Department of Technology.

Software vendors who were Virginia IBR Certified were invited to submit proposals in response to the RFP, which was released on March 1, 2002 and opened on April 1, 2002.

#### Considerations:

Three (3) proposals were received and evaluated in a consistent manner. Not all proposals met City specifications as described in the RFP. A team consisting of members of the City's Police Department and the Department of Technology evaluated the proposals.

The evaluation of the proposals, demonstrations of the products, and site visits were performed. Southern Software, Inc., of Southern Pines, North Carolina, was determined to be able to best meet the requirements of the City of Roanoke Police Department. Southern Software, Inc. was also the lowest priced proposal submitted.

The total cost for the software and related services being offered by Southern Software, Inc. is \$83,595. Funding for the project is available in account 035-640-3410-9067. This account is the Records System Improvement Grant.

This police records improvement is relevant to and in compliance with the Police Records System Improvement Grant that the City of Roanoke was awarded by the Virginia Department of Criminal Justice Services. Acceptance of this grant was approved by City Council on January 22, 2002. As part of the grant appropriation, \$41,350 was transferred from the Department of Technology

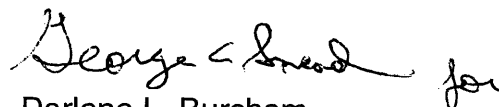
Honorable Mayor and Members of City Council  
Incident Based Reporting for Police Applications  
November 4, 2002

Contingency Account and \$124,050 of State funding was appropriated into account 035-640-3410-9067.

Recommended Action:

Authorize the City Manager to enter into a contract with Southern Software Inc., such contract to be approved as to form by the City Attorney, for the Mobile IBR RFP # 02-01-05, in the amount of \$83,595.

Respectfully submitted,

  
Darlene L. Burcham  
City Manager

DLB: jds

c: Mary F. Parker, City Clerk  
William M. Hackworth, City Attorney  
Jesse Hall, Director of Finance  
Joe D. Slone, Director, DoT  
Barry L. Key, Director, DMB  
Robert H. Bird, Acting Manager, Purchasing

#CM02-00238

## IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting the proposal of Southern Software, Inc., to provide incident based reporting software and services for the City of Roanoke's Police Department upon certain terms and conditions; authorizing the proper City officials to execute the requisite contract for same; and rejecting all other proposals made to the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

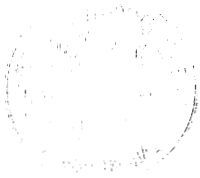
1. The proposal of Southern Software, Inc., to provide incident based reporting software and services for the City of Roanoke's Police Department at a cost of \$83,595, all as more fully set forth in a letter to Council dated November 4, 2002, be and is hereby ACCEPTED.

2. The City Manager and the City Clerk are hereby authorized, on behalf of the City, to execute and attest, respectively, upon form approved by the City Attorney, a contract with Southern Software, Inc., for the provision of incident based reporting software and services for the City's Police Department.

3. Any and all other proposals made to the City for providing incident based reporting software and services are hereby REJECTED, and the City Clerk is directed to notify each such offeror and to express to each the City's appreciation for such proposal.

ATTEST:

City Clerk.



## **CITY OF ROANOKE OFFICE OF THE CITY MANAGER**

Noel C. Taylor Municipal Building  
215 Church Avenue, S.W., Room 364  
Roanoke, Virginia 24011-1591  
Telephone: (540) 853-2333  
Fax: (540) 853-1138  
CityWeb: [www.roanokegov.com](http://www.roanokegov.com)

November 4, 2002

Honorable Ralph K. Smith, Mayor  
Honorable C. Nelson Harris, Vice Mayor  
Honorable William D. Bestpitch, Council Member  
Honorable William H. Carder, Council Member  
Honorable M. Rupert Cutler, Council Member  
Honorable Alfred T. Dowe, Jr., Council Member  
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Upgrade of Computer Aided  
Dispatch (CAD) software system.  
#CM02-00239

### **Background:**

In September, 1999 the City implemented Printrak's Computer Aided Dispatch (CAD) system due to technological advancements over what was the current CAD and also as a direct impact of the noted 'Y2K bug'.

The City is utilizing Printrak's Premier CAD version 6.1.1, several releases behind the current version 6.5. The City of Roanoke should migrate to the current version in order to be compliant with State mandates regarding the handling of E-911 calls originating from wireless phones. Other benefits include efficiency of operations such as server consolidation and improved Police and Fire Dispatch functionality.


Considerations:

The CAD system represents the functional origination of E-911 calls for service and is a vital component in providing public safety services to the citizens and visitor to the City of Roanoke. It is a critical that the City remain on a current version of the software in order to continue to receive support as offered by the software vendor, Printrak International. The Director of General Services has determined that Printrak International developed and has licensed the software; thus, Printrak International is the only source practicably available for the upgrade at a cost of \$129,966. Funding is available in account 013-430-1601-2147 for this expense, having been previously allocated to the City of Roanoke by the State Wireless Board and designated specifically for the implementation of the Phase II wireless upgrade.

Recommended Action:

Determine that Printrak International is the only source practically available to provide the software and authorize the City Manager to enter into a contract with Printrak International for the upgrade of the City's Computer Aided Dispatch application, such contract to be approved as to form by the City Attorney, in the amount of \$129,966.

Respectfully submitted,

  
Darlene L. Burcham  
City Manager

DLB: jds

c: Mary F. Parker, City Clerk  
William M. Hackworth, City Attorney  
Jesse A. Hall, Director of Finance  
Joe D. Slone, Director of Technology  
Barry L. Key, Manager, DMB  
Robert H. Bird, Manager, Purchasing

#CM02-00239

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing a contract with Printrak International for the upgrade of the City's Computer Aided Dispatch (CAD) Application System and concurring with the determination of the Director of General Services that such firm is the only source practicably available to perform such work.

WHEREAS, the Director of General Services, upon the request of the Department of Technology, has determined that Printrak International is the only source practicably available to provide the upgrade to the City's Computer Aided Dispatching System; and

WHEREAS, Council concurs in the determination of the Director of General Services on the sole source issue.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. Council does hereby concur in the determination of the Director of General Services that Printrak International is the only source practicably available to provide the upgrade to the City's Computer Aided Dispatching System for the reasons set forth in the City Manager's report to Council dated November 4, 2002.

2. The City Manager and the City Clerk are authorized to execute and attest, respectively, for and on behalf of the City, upon form approved by the City Attorney, a contract with Printrak International, for the upgrade to the City's Computer Aided Dispatching System, in the amount of \$129,966, all as more fully set forth in the above mentioned report.

ATTEST:

City Clerk.



# CITY OF ROANOKE

## DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461

P.O. Box 1220

Roanoke, Virginia 24006-1220

Telephone: (540) 853-2821

Fax: (540) 853-6142

**JESSE A. HALL**

**Director of Finance**

email: jesse\_hall@ci.roanoke.va.us

**ANN H. SHAWVER**

**Deputy Director**

email: ann\_shawver@ci.roanoke.va.us

November 4, 2002

The Honorable Ralph K. Smith, Mayor  
 The Honorable C. Nelson Harris, Vice Mayor  
 The Honorable William D. Bestpitch, Council Member  
 The Honorable William H. Carder, Council Member  
 The Honorable M. Rupert Cutler, Council Member  
 The Honorable Alfred T. Dowe, Jr., Council Member  
 The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

**SUBJECT: September Financial Report**

This financial report covers the first three months of the 2002-2003 fiscal year. The following narrative discusses revenues and expenditures to date.

### REVENUE

General Fund revenues reflect an increase of 13.53% or \$3,428,000 compared to FY02. Variances in specific categories of revenues are as follows:

**General Property Taxes** increased 12.95% or \$1,699,000. Real estate taxes, which were due October 5, increased due to earlier receipt of payments in the current year. Growth of 5% is anticipated for this revenue source. Personal property taxes were up slightly from the prior year. However, the majority of property tax revenue will be received in future months as the taxes become due.

**Other Local Taxes** rose \$937,000 or 15.43%. Sales tax revenue was up 1.7% from the prior year. Cellular phone tax revenue continued to increase, up approximately \$139,000 from the same period of the prior year. Admissions tax revenue increased from the prior year. Diligent monitoring and collection efforts, in addition to a rate increase, positively impacted the performance of this tax. Electric utility consumer taxes increased due to a timing difference.

**Permits, Fees and Licenses** declined \$36,000 or 13.79%. Permit valuations for commercial projects during the first quarter of the current fiscal year were lower than the same period in the prior year, having a negative impact on building and heating inspection fees. Elevator inspection has been privatized with the majority of fees paid directly to a third party, causing a decline in elevator inspection fees. There was also an expenditure decline related to this privatization effort.

**Fines and Forfeitures** rose 57.30% \$117,000. General District Court fines were up approximately 24%. The fine for speeding violations was increased effective July 1, 2002, generating additional revenue. A higher caseload in the current

year also contributed to this increase. Revenues from parking tickets rose approximately \$86,000 as compared to the same period in the prior year. Civilianizing of the ticketing function has led to an increase in parking ticket revenues.

**Revenue from Use of Money and Property** declined 5.50% or \$14,000. Lower short-term interest rates cause this decline.

**Grants-in-Aid Commonwealth** increased \$568,000 or 12.07%. Revenue received under the Comprehensive Services Act (CSA) increased as did corresponding expenditures. Reimbursement received from the Compensation Board for shared expense of the Sheriff rose due to timing differences. As anticipated, revenue received from the state under the Virginia Juvenile Community Crime Control Act (VJCCCA) for the first quarter of FY03 decreased from the prior year, partially offsetting these increases. The State is expected to cut VJCCCA program revenues for FY03 by 51%. Jail block grant revenue declined as the State now retains a portion of the reimbursement due the City for housing federal prisoners. The first quarterly remittance of funding under HB599 for law enforcement was received, and was 7% lower than the prior year remittance, as budgeted.

**Charges for Services** rose 12.75% or \$68,000. Several new fees were authorized by the 2002 General Assembly and were effective July 1, 2002, including a courthouse security fee, inmate processing fee, and DNA sampling fee. Circuit Court Clerk fees were up. A new fee structure for bulk garbage collection generated additional revenue. A rate increase in EMS fees was effective April 1, 2002, contributing to the increase in this category. A decline in weed cutting and demolition revenue partially offsets these increases.

**Miscellaneous Revenue** is up 51.65% or \$11,000 largely due to timing differences. Damages to City property increased slightly from the prior year.

**Internal Services** increased 51.12% or \$78,000 due to timing differences in airport billings.

#### **EXPENDITURES AND ENCUMBRANCES**

General fund expenditures and encumbrances have increased 1.52% or \$901,000 since FY02. Variances in individual expenditure categories are discussed as follows:

**General Government** expenditures decreased 6.17% or \$191,000. Personal service costs in various departments declined due to a hiring slow down. Reimbursement from the School for services provided by Municipal Auditing was received earlier in FY03 than the prior year. Since this is accounted for as a recovered cost, it has the effect of reducing expenditures in FY03 compared to FY02. Electoral Board and Office of Billings and Collections expenditures were down due to the purchase of office furniture during the prior year.

**Health and Welfare** expenditures rose \$392,000 or 7.60%. Timing differences in payment to Blue Ridge Behavioral Healthcare and Total Action Against Poverty contributed to this increase. Comprehensive Services Act expenditures were up due to an increase in the number of children in foster care.

**Parks, Recreation and Cultural** expenditures declined 7.09% or \$103,000. Personal services costs of the Recreation department declined. A larger amount of recovered costs received in the current year also contribute to this decline.

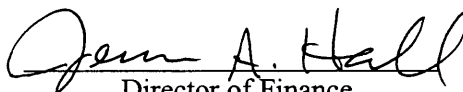
**Transfer to Debt Service Fund** increased 91.61% or \$5,745,000 due to a timing difference in the transfer of funds to pay principal and interest for the Series 1999 General Obligation Bonds. The current fiscal year was the first year principal

and interest payments were required for the Series 2002A General Obligation Bonds, and a larger principal payment was required on the Series 1997B Bonds, increasing the required transfer amount. The final principal and interest payments were made in the prior fiscal year for Series 1992 Refunding Bonds, partially offsetting these increases.

**Transfer to School Fund** increased \$874,000 or 7.60%. CMERP appropriations totaling \$691,811 were transferred in the current year while no CMERP funds had been transferred by September 30 of the prior year. These funds will be used for various school projects including technology requests, bus replacement, facility maintenance and physical education equipment.

**Nondepartmental** expenditures decreased 62.66% or \$5,218,000. A timing difference in the transfers to Capital Projects Fund contributed to this variance. Essentially all transfers to the Capital Projects Fund were made at the beginning of FY02, but these are planned for mid- and end of year in FY03, consistent with other General Fund budgeted transfers. A larger amount of CMERP funding was transferred to the Capital Projects and Department of Technology Funds in the prior year. Transfers to the Grant Fund were less in FY03 due to the substantial decrease in VJCCCA funding transferred. As mentioned previously, the state cut this funding source for FY03. A timing difference in the transfer to the Greater Roanoke Transit Company partially offset these decreases.

I would be pleased to answer questions City Council may have regarding the monthly financial statements.

  
Director of Finance

JAH/tht  
Attachments

**CITY OF ROANOKE, VIRGINIA  
SUMMARY OF CITY MANAGER TRANSFERS  
AND AVAILABLE CONTINGENCY  
SEPTEMBER 30, 2002**

| <u>Transfer<br/>Number</u>                            | <u>Date</u> | <u>Explanation</u>                | <u>From</u>                     | <u>To</u>                             | <u>Amount</u>     |
|---|-------------|-----------------------------------|---------------------------------|---------------------------------------|-------------------|
| <b><u>General Fund:</u></b>                           |             |                                   |                                 |                                       |                   |
| CMT-1368  | 09/03/02    | The Art Project Feasibility Study | Contingency*                    | Memberships and<br>Affiliations       | \$ 37,500         |
|   |             |                                   |                                 | Total General Fund                    | <u>\$ 37,500</u>  |
| <b><u>Capital Projects Fund:</u></b>                  |             |                                   |                                 |                                       |                   |
| CMT-646   | 09/20/02    | Century Square Project            | Special Park Project<br>Grants  | Sister City Century Square<br>Upgrade | \$ 145            |
| CMT-646   | 09/20/02    | Century Square Project            | Roanoke River Center<br>Phase I | Sister City Century Square<br>Upgrade | 3,855             |
|   |             |                                   |                                 | Total Capital Projects Fund           | <u>\$ 4,000</u>   |
| <b><u>Available Contingency</u></b>                   |             |                                   |                                 |                                       |                   |
| Balance of Contingency at July 1, 2002                |             |                                   |                                 |                                       | \$ 476,300        |
| *Contingency Appropriations From Above                |             |                                   |                                 |                                       | (37,500)          |
| Contingency Appropriations Through Budget Ordinances: |             |                                   |                                 |                                       |                   |
| BO 36022  | 08/19/02    | Drug Prosecutor                   | Contingency                     | Transfer to Grant Fund                | <u>(9,381)</u>    |
| Available Contingency at September 30, 2002           |             |                                   |                                 |                                       | <u>\$ 429,419</u> |

**CITY OF ROANOKE, VIRGINIA  
GENERAL FUND**

**STATEMENT OF REVENUE**

| Revenue Source                         | Year to Date for the Period   |                               |                         | Current Fiscal Year             |   |
|--|-------------------------------|-------------------------------|-------------------------|---------------------------------|---|
|  | July 1 - Sept 30<br>2001-2002 | July 1 - Sept 30<br>2002-2003 | Percentage<br>of Change | Revised<br>Revenue<br>Estimates | Percent of<br>Revenue<br>Estimate<br>Received |
| General Property Taxes                 | \$ 13,116,164                 | \$ 14,815,344                 | 12.95 %                 | \$ 78,340,707                   | 18.91%  |
| Other Local Taxes                      | 6,074,688                     | 7,011,935                     | 15.43 %                 | 59,301,164                      | 11.82%  |
| Permits, Fees and Licenses             | 262,378                       | 226,198                       | -13.79 %                | 1,030,694                       | 21.95%  |
| Fines and Forfeitures                  | 205,046                       | 322,529                       | 57.30 %                 | 1,116,350                       | 28.89%  |
| Revenue from Use of Money and Property | 262,359                       | 247,942                       | -5.50 %                 | 1,082,729                       | 22.90%  |
| Grants-in-Aid Commonwealth             | 4,710,665                     | 5,279,133                     | 12.07 %                 | 45,687,395                      | 11.55%  |
| Grants-in-Aid Federal Government       | -                             | -                             | 0.00 %                  | 34,300                          | 0.00%   |
| Charges for Services                   | 530,116                       | 597,689                       | 12.75 %                 | 4,353,761                       | 13.73%  |
| Miscellaneous Revenue                  | 21,093                        | 31,987                        | 51.65 %                 | 295,045                         | 10.84%  |
| Internal Services                      | 151,783                       | 229,378                       | 51.12 %                 | 2,302,219                       | 9.96%   |
| <b>Total</b>                           | <b>\$ 25,334,292</b>          | <b>\$ 28,762,135</b>          | <b>13.53 %</b>          | <b>\$ 193,544,364</b>           | <b>14.86%</b>                                 |

**STATEMENT OF EXPENDITURES AND ENCUMBRANCES**

| Expenditures                      | Year to Date for the Period   |                               |                         | Current Fiscal Year     |                           |                                   |
|-----------------------------------|-------------------------------|-------------------------------|-------------------------|-------------------------|---------------------------|-----------------------------------|
|                                   | July 1 - Sept 30<br>2001-2002 | July 1 - Sept 30<br>2002-2003 | Percentage<br>of Change | Unencumbered<br>Balance | Revised<br>Appropriations | Percent of<br>Budget<br>Obligated |
| General Government                | \$ 3,093,744                  | \$ 2,902,883                  | -6.17 %                 | \$ 8,716,246            | \$ 11,619,129             | 24.98%                            |
| Judicial Administration           | 1,521,810                     | 1,566,810                     | 2.96 %                  | 4,726,596               | 6,293,406                 | 24.90%                            |
| Public Safety                     | 12,365,458                    | 11,864,276                    | -4.05 %                 | 34,843,261              | 46,707,537                | 25.40%                            |
| Public Works                      | 8,305,711                     | 8,059,451                     | -2.96 %                 | 16,898,134              | 24,957,585                | 32.29%                            |
| Health and Welfare                | 5,153,956                     | 5,545,860                     | 7.60 %                  | 21,902,893              | 27,448,753                | 20.20%                            |
| Parks, Recreation and<br>Cultural | 1,456,587                     | 1,353,384                     | -7.09 %                 | 3,456,645               | 4,810,029                 | 28.14%                            |
| Community Development             | 1,429,686                     | 1,534,153                     | 7.31 %                  | 3,968,630               | 5,502,783                 | 27.88%                            |
| Transfer to Debt Service<br>Fund  | 6,271,344                     | 12,016,456                    | 91.61 %                 | 4,830,586               | 16,847,042                | 71.33%                            |
| Transfer to School Fund           | 11,496,917                    | 12,370,997                    | 7.60 %                  | 35,037,559              | 47,408,556                | 26.09%                            |
| Nondepartmental                   | 8,326,552                     | 3,108,987                     | -62.66 %                | 7,357,729               | 10,466,716                | 29.70%                            |
| <b>Total</b>                      | <b>\$ 59,421,765</b>          | <b>\$ 60,323,257</b>          | <b>1.52 %</b>           | <b>\$ 141,738,279</b>   | <b>\$ 202,061,536</b>     | <b>29.85%</b>                     |

**Notes:**

Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA  
SCHOOL FUND STATEMENT OF REVENUE**

| <u>Revenue Source</u>            | <u>Year to Date for the Period</u>    |                                       |                                 | <u>Current Fiscal Year</u>               |   |
|----------------------------------|---------------------------------------|---------------------------------------|---------------------------------|--|---|
|                                  | <u>July 1 - Sept 30<br/>2001-2002</u> | <u>July 1 - Sept 30<br/>2002-2003</u> | <u>Percentage<br/>of Change</u> | <u>Revised<br/>Revenue<br/>Estimates</u> | <u>Percent of<br/>Revenue<br/>Estimate<br/>Received</u> |
| State Sales Tax                  | \$ 739,488                            | \$ 795,466                            | 7.57 %                          | \$ 9,226,504                             | 8.62 %  |
| Grants-in-Aid Commonwealth       | 8,285,478                             | 9,106,973                             | 9.91 %                          | 43,236,695                               | 21.06 %   |
| Grants-in-Aid Federal Government | 16,909                                | 16,038                                | -5.15 %                         | 115,298                                  | 13.91 %   |
| Charges for Services             | 245,946                               | 226,416                               | -7.94 %                         | 2,127,968                                | 10.64 %   |
| Transfer from General Fund       | 11,496,917                            | 12,370,997                            | 7.60 %                          | 46,716,745                               | 26.48 %   |
| Special Purpose Grants           | 3,003,481                             | 2,160,839                             | -28.06 %                        | 3,291,454                                | NA  |
| <b>Total</b>                     | <b>\$ 23,788,219</b>                  | <b>\$ 24,676,729</b>                  | <b>3.74 %</b>                   | <b>\$ 104,714,664</b>                    | <b>23.57 %</b>  |

**SCHOOL FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES**

| <u>Expenditures</u>    | <u>Year to Date for the Period</u>    |                                       |                                 | <u>Current Fiscal Year</u>      |                                   |  |
|------------------------|---------------------------------------|---------------------------------------|---------------------------------|---------------------------------|-----------------------------------|--|
|                        | <u>July 1 - Sept 30<br/>2001-2002</u> | <u>July 1 - Sept 30<br/>2002-2003</u> | <u>Percentage<br/>of Change</u> | <u>Unencumbered<br/>Balance</u> | <u>Revised<br/>Appropriations</u> | <u>Percent of<br/>Budget<br/>Obligated</u> |
| Instruction            | \$ 11,441,357                         | \$ 11,481,106                         | 0.35 %                          | \$ 64,463,259                   | \$ 75,944,365                     | 15.12 %                                    |
| General Support        | 915,664                               | 1,008,791                             | 10.17 %                         | 3,011,326                       | 4,020,117                         | 25.09 %                                    |
| Transportation         | 520,350                               | 592,873                               | 13.94 %                         | 3,425,345                       | 4,018,218                         | 14.75 %                                    |
| Operation and          |                                       |                                       |                                 |                                 |                                   |  |
| Maintenance of Plant   | 2,006,852                             | 3,238,577                             | 61.38 %                         | 7,678,836                       | 10,917,413                        | 29.66 %                                    |
| Facilities             | 1,031,486                             | 952,074                               | -7.70 %                         | 695,534                         | 1,647,608                         | 57.79 %                                    |
| Other Uses of Funds    | 5,193,508                             | 5,371,037                             | 3.42 %                          | 1,698,682                       | 7,069,719                         | 75.97 %                                    |
| Special Purpose Grants | 3,004,939                             | 3,291,454                             | 9.53 %                          | -                               | 3,291,454                         | NA   |
| <b>Total</b>           | <b>\$ 24,114,156</b>                  | <b>\$ 25,935,912</b>                  | <b>7.55 %</b>                   | <b>\$ 80,972,982</b>            | <b>\$ 106,908,894</b>             | <b>24.26 %</b>                             |

**Notes:**

Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA  
SCHOOL FOOD SERVICES FUND STATEMENT OF REVENUE**

| <b>Revenue Source</b>            | <b>Year to Date for the Period</b>    |                                       |                                 | <b>Current Fiscal Year</b>               |   |
|----------------------------------|---------------------------------------|---------------------------------------|---------------------------------|--|---|
|                                  | <b>July 1 - Sept 30<br/>2001-2002</b> | <b>July 1 - Sept 30<br/>2002-2003</b> | <b>Percentage<br/>of Change</b> | <b>Revised<br/>Revenue<br/>Estimates</b> | <b>Percent of<br/>Revenue<br/>Estimate<br/>Received</b> |
| Grants-in-Aid Commonwealth       | \$ -                                  | \$ -                                  | - %                             | \$ 84,464                                | 0.00 %  |
| Grants-in-Aid Federal Government | 25,728                                | 45,172                                | 75.58 %                         | 2,747,730                                | 1.64 %  |
| Charges for Services             | 208,067                               | 118,250                               | -43.17 %                        | 1,689,923                                | 7.00 %  |
| <b>Total</b>                     | <b>\$ 233,795</b>                     | <b>\$ 163,422</b>                     | <b>-30.10 %</b>                 | <b>\$ 4,522,117</b>                      | <b>3.61 %</b>   |

**SCHOOL FOOD SERVICES FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES**

| <b>Expenditures</b> | <b>Year to Date for the Period</b>    |                                       |                                 | <b>Current Fiscal Year</b>      |                                   |  |
|---------------------|---------------------------------------|---------------------------------------|---------------------------------|---------------------------------|-----------------------------------|--|
|                     | <b>July 1 - Sept 30<br/>2001-2002</b> | <b>July 1 - Sept 30<br/>2002-2003</b> | <b>Percentage<br/>of Change</b> | <b>Unencumbered<br/>Balance</b> | <b>Revised<br/>Appropriations</b> | <b>Percent of<br/>Budget<br/>Obligated</b> |
| Food Services       | \$ 719,977                            | \$ 578,186                            | -19.69 %                        | \$ 3,947,305                    | \$ 4,525,491                      | 12.78 %                                    |
| Facilities          | -                                     | 15,020                                | 100.00 %                        | (3,959)                         | 11,061                            | 135.79 %                                   |
| <b>Total</b>        | <b>\$ 719,977</b>                     | <b>\$ 593,206</b>                     | <b>-17.61 %</b>                 | <b>\$ 3,943,346</b>             | <b>\$ 4,536,552</b>               | <b>13.08 %</b>                             |

**CITY OF ROANOKE, VIRGINIA  
CAPITAL PROJECTS FUND  
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND  
UNENCUMBERED APPROPRIATIONS SUMMARY AS OF SEPTEMBER 30, 2002**

|                             | <b>Budget</b>         | <b>Expenditures<br/>To Date</b> | <b>Unexpended<br/>Balance</b> | <b>Outstanding<br/>Encumbrances</b> | <b>Unobligated<br/>Balance</b> |
|-----------------------------|-----------------------|---------------------------------|-------------------------------|-------------------------------------|--------------------------------|
| General Government          | \$ 14,357,884         | \$ 13,030,722                   | \$ 1,327,162                  | \$ 190,649                          | \$ 1,136,513                   |
| Flood Reduction             | 21,804,532            | 9,373,455                       | 12,431,077                    | 1,431,752                           | 10,999,325                     |
| Economic Development        | 32,911,540            | 23,350,958                      | 9,560,582                     | 98,273                              | 9,462,309                      |
| Community Development       | 6,851,643             | 4,702,659                       | 2,148,984                     | 665,041                             | 1,483,943                      |
| Public Safety               | 8,384,471             | 7,212,911                       | 1,171,560                     | 18,660                              | 1,152,900                      |
| Recreation                  | 28,606,392            | 6,893,123                       | 21,713,269                    | 2,368,088                           | 19,345,181                     |
| Streets and Bridges         | 25,471,040            | 21,662,136                      | 3,808,904                     | 1,856,755                           | 1,952,149                      |
| Storm Drains                | 3,362,131             | 2,141,971                       | 1,220,160                     | 435,151                             | 785,009                        |
| Traffic Engineering         | 5,276,952             | 4,663,947                       | 613,005                       | 465,841                             | 147,164                        |
| Capital Improvement Reserve | 8,605,186             | -                               | 8,605,186                     | -                                   | 8,605,186                      |
| <b>Total</b>                | <b>\$ 155,631,771</b> | <b>\$ 93,031,882</b>            | <b>\$ 62,599,889</b>          | <b>\$ 7,530,210</b>                 | <b>\$ 55,069,679</b>           |

**CITY OF ROANOKE, VIRGINIA  
SCHOOL CAPITAL PROJECTS FUND  
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND  
UNENCUMBERED APPROPRIATIONS SUMMARY AS OF SEPTEMBER 30, 2002**

|                                    | <b>Budget</b>        | <b>Expenditures<br/>To Date</b> | <b>Unexpended<br/>Balance</b> | <b>Outstanding<br/>Encumbrances</b> | <b>Unobligated<br/>Balance</b> |
|------------------------------------|----------------------|---------------------------------|-------------------------------|-------------------------------------|--------------------------------|
| Elementary Schools Renovation      | \$ 17,558,105        | \$ 12,596,180                   | \$ 4,961,925                  | \$ 319,861                          | \$ 4,642,064                   |
| Middle Schools Renovation          | 2,840,307            | 2,710,263                       | 130,044                       | 89,496                              | 40,548                         |
| High Schools Renovation            | 3,525,763            | 3,504,008                       | 21,755                        | 153                                 | 21,602                         |
| Transportation Facility Renovation | 1,000,000            | -                               | 1,000,000                     | 87,750                              | 912,250                        |
| Interest Expense                   | 262,929              | 248,025                         | 14,904                        | -                                   | 14,904                         |
| Capital Improvement Reserve        | 1,051,271            | -                               | 1,051,271                     | -                                   | 1,051,271                      |
| <b>Total</b>                       | <b>\$ 26,238,375</b> | <b>\$ 19,058,476</b>            | <b>\$ 7,179,899</b>           | <b>\$ 497,260</b>                   | <b>\$ 6,682,639</b>            |

**CITY OF ROANOKE, VIRGINIA  
CAPITAL PROJECTS FUND  
COMPARATIVE STATEMENT OF REVENUES  
FOR THE THREE MONTHS ENDING SEPTEMBER 30, 2002**

|  | <u>FY 2003</u>             | <u>FY 2002</u>             |
|--|----------------------------|----------------------------|
| <b>Interest Revenue:</b>                             |                            |                            |
| Interest on Bond Proceeds                            | \$ 285,828                 | \$ 181,702                 |
| Interest on SunTrust Lease                           | 451                        | 6,313                      |
| Interest on Idle Working Capital                     | <u>84,388</u>              | <u>177,931</u>             |
| Total Interest Revenue                               | <u>370,667</u>             | <u>365,946</u>             |
| <b>Multi Year Revenues:</b>                          |                            |                            |
| <b>Intergovernmental Revenue:</b>                    |                            |                            |
| Commonwealth:  |                            |                            |
| Passenger Station Improvement - ISTE                 | 133,396                    | -                          |
| VDES - Garden City Mitigation Project                | -                          | 10,143                     |
| Virginia Transportation Museum - ISTE                | <u>13,223</u>              | <u>16,176</u>              |
| Total Intergovernmental Revenue                      | <u>146,619</u>             | <u>26,319</u>              |
| <b>Revenue from Third Parties:</b>                   |                            |                            |
| Advance Stores Governor's Opportunity Fund Agreement | 170,000                    | -                          |
| Carilion Health Systems - Land Sale                  | -                          | 375,000                    |
| Times-World Corporation - Land Sale                  | <u>-</u>                   | <u>100</u>                 |
| Total Revenue from Third Parties                     | <u>170,000</u>             | <u>375,100</u>             |
| <b>Other Revenue:</b>                                |                            |                            |
| Transfers from General Fund                          | <u>1,284,023</u>           | <u>1,144,900</u>           |
| Total Other Revenue                                  | <u>1,284,023</u>           | <u>1,144,900</u>           |
| <b>Total</b>   | <u><u>\$ 1,971,309</u></u> | <u><u>\$ 1,912,265</u></u> |

**CITY OF ROANOKE, VIRGINIA  
WATER FUND  
COMPARATIVE INCOME STATEMENT  
FOR THE THREE MONTHS ENDING SEPTEMBER 30, 2002**

|   | <u>FY 2003</u>             | <u>FY 2002</u>             |
|---|----------------------------|----------------------------|
| <b>Operating Revenues</b>               |                            |                            |
| Commercial Sales                        | \$ 996,989                 | \$ 947,973                 |
| Domestic Sales                          | 501,346                    | 507,560                    |
| Industrial Sales                        | 134,988                    | 189,588                    |
| Town of Vinton                          | 4,356                      | (316)                      |
| City of Salem                           | 7,795                      | 5,785                      |
| County of Botetourt                     | 49,345                     | 40,074                     |
| County of Bedford                       | (3,030)                    | (7,023)                    |
| Customer Services                       | 79,201                     | 128,125                    |
| Charges for Services                    | <u>698,602</u>             | <u>661,344</u>             |
| <b>Total Operating Revenues</b>         | <u>2,469,592</u>           | <u>2,473,110</u>           |
| <b>Operating Expenses</b>               |                            |                            |
| Personal Services                       | 1,096,568                  | 1,088,309                  |
| Operating Expenses                      | 990,903                    | 957,800                    |
| Purchased Water - Roanoke County        | 262,839                    | -                          |
| Purchased Water - City of Salem         | 205,119                    | -                          |
| Depreciation                            | <u>418,688</u>             | <u>420,571</u>             |
| <b>Total Operating Expenses</b>         | <u>2,974,117</u>           | <u>2,466,680</u>           |
| <b>Operating Income (Loss)</b>          | <u>(504,525)</u>           | <u>6,430</u>               |
| <b>Nonoperating Revenues (Expenses)</b> |                            |                            |
| Interest on Investments                 | 32,698                     | 64,592                     |
| Rent                                    | 25,500                     | 18,782                     |
| Miscellaneous Revenue                   | 15,523                     | 11,041                     |
| Interest and Fiscal Charges             | <u>(239,488)</u>           | <u>(258,438)</u>           |
| <b>Net Nonoperating Expenses</b>        | <u>(165,767)</u>           | <u>(164,023)</u>           |
| <b>Net Loss</b>                         | <u><u>\$ (670,292)</u></u> | <u><u>\$ (157,593)</u></u> |

Note: Reversal of year end accruals caused certain Revenues to be negative.

In addition, prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA  
WATER POLLUTION CONTROL FUND  
COMPARATIVE INCOME STATEMENT  
FOR THE THREE MONTHS ENDING SEPTEMBER 30, 2002**

|   | <u>FY 2003</u>             | <u>FY 2002</u>             |
|---|----------------------------|----------------------------|
| <b>Operating Revenues</b>               |                            |                            |
| Sewage Charges - City                   | \$ 1,204,263               | \$ 1,457,974               |
| Sewage Charges - Roanoke County         | 154,626                    | 136,321                    |
| Sewage Charges - Vinton                 | 40,006                     | 39,811                     |
| Sewage Charges - Salem                  | 75,753                     | 127,983                    |
| Sewage Charges - Botetourt County       | 30,564                     | 21,368                     |
| Customer Services                       | 110,351                    | 59,525                     |
| Interfund Services                      | <u>60,209</u>              | <u>26,538</u>              |
| <b>Total Operating Revenues</b>         | <u>1,675,772</u>           | <u>1,869,520</u>           |
| <b>Operating Expenses</b>               |                            |                            |
| Personal Services                       | 534,258                    | 567,884                    |
| Operating Expenses                      | 1,063,237                  | 1,409,958                  |
| Depreciation                            | <u>472,724</u>             | <u>428,854</u>             |
| <b>Total Operating Expenses</b>         | <u>2,070,219</u>           | <u>2,406,696</u>           |
| <b>Operating Loss</b>                   | <u>(394,447)</u>           | <u>(537,176)</u>           |
| <b>Nonoperating Revenues (Expenses)</b> |                            |                            |
| Interest on Investments                 | 41,643                     | 63,298                     |
| Miscellaneous Revenue                   | 321                        | 91                         |
| Interest and Fiscal Charges             | <u>(185,972)</u>           | <u>(189,894)</u>           |
| <b>Net Nonoperating Expenses</b>        | <u>(144,008)</u>           | <u>(126,505)</u>           |
| <b>Net Loss</b>                         | <u><u>\$ (538,455)</u></u> | <u><u>\$ (663,681)</u></u> |

**CITY OF ROANOKE, VIRGINIA  
CIVIC CENTER FUND  
COMPARATIVE INCOME STATEMENT  
FOR THE TWO MONTHS ENDING AUGUST 31, 2002**

|                                    | <u>FY 2003</u>             | <u>FY 2002</u>             |
|------------------------------------|----------------------------|----------------------------|
| <b>Operating Revenues</b>          |                            |                            |
| Rentals                            | \$ 62,318                  | \$ 42,341                  |
| Event Expenses                     | 23,181                     | 17,366                     |
| Display Advertising                | -                          | 50,200                     |
| Admissions Tax                     | 5,746                      | 19,494                     |
| Electrical Fees                    | 1,260                      | 4,440                      |
| Novelty Fees                       | -                          | 400                        |
| Facility Surcharge                 | 3,236                      | 6,712                      |
| Charge Card Fees                   | 1,618                      | 17,313                     |
| Commissions                        | 92                         | -                          |
| Catering/Concessions               | 54,460                     | 43,279                     |
| Other                              | 686                        | 3,425                      |
| <b>Total Operating Revenues</b>    | <u>152,597</u>             | <u>204,970</u>             |
| <b>Operating Expenses</b>          |                            |                            |
| Personal Services                  | 273,180                    | 287,968                    |
| Operating Expenses                 | 299,091                    | 275,787                    |
| Depreciation                       | 177,702                    | 81,900                     |
| <b>Total Operating Expenses</b>    | <u>749,973</u>             | <u>645,655</u>             |
| <b>Operating Loss</b>              | <u>(597,376)</u>           | <u>(440,685)</u>           |
| <b>Nonoperating Revenues</b>       |                            |                            |
| Interest on Investments            | 8,257                      | 4,499                      |
| Miscellaneous                      | 33                         | 153                        |
| <b>Total Nonoperating Revenues</b> | <u>8,290</u>               | <u>4,652</u>               |
| <b>Net Loss</b>                    | <u><u>\$ (589,086)</u></u> | <u><u>\$ (436,033)</u></u> |

**CITY OF ROANOKE, VIRGINIA  
PARKING FUND  
COMPARATIVE INCOME STATEMENT  
FOR THE THREE MONTHS ENDING SEPTEMBER 30, 2002**

|   | <u>FY 2003</u>           | <u>FY 2002</u>           |
|---|--------------------------|--------------------------|
| <b>Operating Revenues</b>               |                          |                          |
| Century Station Parking Garage          | \$ 100,452               | \$ 95,484                |
| Williamson Road Parking Garage          | 96,303                   | 109,557                  |
| Market Square Parking Garage            | 63,286                   | 57,115                   |
| Church Avenue Parking Garage            | 143,259                  | 115,503                  |
| Tower Parking Garage                    | 87,352                   | 90,715                   |
| Williamson Road Surface Lots            | 19,787                   | 16,075                   |
| Gainsboro Parking Garage                | 8,736                    | -                        |
| Norfolk Avenue Surface Lot              | 15,096                   | 9,700                    |
| Gainsboro Surface Lot                   | <u>8,432</u>             | <u>5,436</u>             |
| <b>Total Operating Revenues</b>         | <u>542,703</u>           | <u>499,584</u>           |
| <b>Operating Expenses</b>               |                          |                          |
| Operating Expenses                      | 184,765                  | 166,920                  |
| Depreciation                            | <u>139,534</u>           | <u>136,755</u>           |
| <b>Total Operating Expenses</b>         | <u>324,299</u>           | <u>303,675</u>           |
| <b>Operating Income</b>                 | <u>218,404</u>           | <u>195,909</u>           |
| <b>Nonoperating Revenues (Expenses)</b> |                          |                          |
| Interest on Investments                 | 3,089                    | 3,393                    |
| Transfer From General Fund              | 115,000                  | 32,000                   |
| Miscellaneous                           | 140                      | 359                      |
| Interest and Fiscal Charges             | <u>(146,953)</u>         | <u>(124,281)</u>         |
| <b>Net Nonoperating Expenses</b>        | <u>(28,724)</u>          | <u>(88,529)</u>          |
| <b>Net Income</b>                       | <u><u>\$ 189,680</u></u> | <u><u>\$ 107,380</u></u> |

**CITY OF ROANOKE, VIRGINIA  
HOTEL ROANOKE CONFERENCE CENTER COMMISSION  
COMPARATIVE INCOME STATEMENT  
FOR THE THREE MONTHS ENDING SEPTEMBER 30, 2002**

|   | <u>FY 2003</u>            | <u>FY 2002</u>           |
|---|---------------------------|--------------------------|
| <b>Operating Expenses</b>                   |                           |                          |
| Salaries and Fringe Benefits                | 12,103                    | 24,569                   |
| Fees for Professional Services              | 9,227                     | 15,172                   |
| Administrative Expenses                     | <u>937</u>                | <u>37,295</u>            |
| <b>Total Operating Expenses</b>             | <u>22,267</u>             | <u>77,036</u>            |
| <b>Nonoperating Revenues (Expenses)</b>     |                           |                          |
| Contributions from City of Roanoke          | 62,500                    | 87,500                   |
| Contributions from Virginia Tech            | 62,500                    | 87,500                   |
| Construction Repairs (2)                    | -                         | 556,694                  |
| Interest on Investments                     | <u>12,685</u>             | <u>40,827</u>            |
| <b>Net Nonoperating Revenues (Expenses)</b> | <u>137,685</u>            | <u>772,521</u>           |
| <b>Net Income Before Depreciation</b>       | <b>115,418</b>            | <b>695,485</b>           |
| Depreciation Expense                        | <u>(127,809)</u>          | <u>(113,648)</u>         |
| <b>Net Income (Loss)</b>                    | <b>\$ <u>(12,391)</u></b> | <b>\$ <u>581,837</u></b> |

**Notes to Financial Statement:**

- (1) Financial information represents activity of the Commission as accounted for in the City's financial records.
- (2) Expense items are normally shown with brackets. Reversal of year end accruals without adequate offsetting payment cause construction expenses to be positive through September 30, 2001.

**CITY OF ROANOKE, VIRGINIA  
INTERNAL SERVICE FUNDS  
COMPARATIVE INCOME STATEMENT  
FOR THE THREE MONTHS ENDING SEPTEMBER 30, 2002**

|   |                                |                     |                     | <b>TOTALS</b>     |                     |
|---|--------------------------------|---------------------|---------------------|-------------------|---------------------|
|   | Department<br>of<br>Technology | Fleet<br>Management | Risk<br>Management  | FY 2003           | FY 2002             |
| <b>Operating Revenues</b>               |                                |                     |                     |                   |                     |
| Charges for Services                    | \$ 1,018,214                   | \$ 1,324,823        | \$ 2,508,463        | \$ 4,851,500      | \$ 4,540,423        |
| <b>Total Operating Revenues</b>         | <b>1,018,214</b>               | <b>1,324,823</b>    | <b>2,508,463</b>    | <b>4,851,500</b>  | <b>4,540,423</b>    |
| <b>Operating Expenses</b>               |                                |                     |                     |                   |                     |
| Personal Services                       | 575,727                        | 318,156             | 39,842              | 933,725           | 962,444             |
| Operating Expenses                      | 334,851                        | 426,078             | 2,985,644           | 3,746,573         | 3,362,948           |
| Depreciation                            | 182,621                        | 515,995             | -                   | 698,616           | 611,146             |
| <b>Total Operating Expenses</b>         | <b>1,093,199</b>               | <b>1,260,229</b>    | <b>3,025,486</b>    | <b>5,378,914</b>  | <b>4,936,538</b>    |
| <b>Operating Income (Loss)</b>          | <b>(74,985)</b>                | <b>64,594</b>       | <b>(517,023)</b>    | <b>(527,414)</b>  | <b>(396,115)</b>    |
| <b>Nonoperating Revenues (Expenses)</b> |                                |                     |                     |                   |                     |
| Interest Revenue                        | 25,059                         | 3,260               | 55,084              | 83,403            | 162,011             |
| Interest Expense                        | (2,167)                        | (19,414)            | -                   | (21,581)          | (16,832)            |
| Transfers From Other Funds              | 480,623                        | 538,577             | -                   | 1,019,200         | 2,793,443           |
| Other Revenue                           | -                              | -                   | -                   | -                 | 10,184              |
| <b>Net Nonoperating Revenues</b>        | <b>503,515</b>                 | <b>522,423</b>      | <b>55,084</b>       | <b>1,081,022</b>  | <b>2,948,806</b>    |
| <b>Net Income (Loss)</b>                | <b>\$ 428,530</b>              | <b>\$ 587,017</b>   | <b>\$ (461,939)</b> | <b>\$ 553,608</b> | <b>\$ 2,552,691</b> |

Note: Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA**  
**CITY TREASURER'S OFFICE**  
**GENERAL STATEMENT OF ACCOUNTABILITY**  
**FOR THE MONTH ENDED SEPTEMBER 30, 2002**

TO THE DIRECTOR OF FINANCE:

GENERAL STATEMENT OF ACCOUNTABILITY OF THE CITY TREASURER OF THE CITY OF ROANOKE, VIRGINIA FOR THE FUNDS OF SAID CITY FOR THE MONTH ENDED SEPTEMBER 30, 2002.

| FUND                      | BALANCE AT<br>AUG 31, 2002 | RECEIPTS               | DISBURSEMENTS          | BALANCE AT<br>SEPT 30, 2002 | BALANCE AT<br>SEPT 30, 2001 |
|---------------------------|----------------------------|------------------------|------------------------|-----------------------------|-----------------------------|
| GENERAL                   | (\$3,471,633.92)           | \$23,582,576.30        | \$14,858,586.88        | <b>\$5,252,355.50</b>       | \$3,344,383.15              |
| WATER                     | 7,812,436.37               | 468,221.82             | 2,027,658.04           | <b>6,253,000.15</b>         | 6,083,272.53                |
| WATER POLLUTION CONTROL   | 8,674,812.18               | 1,749,550.25           | 1,278,573.32           | <b>9,145,789.11</b>         | 6,863,748.15                |
| CIVIC FACILITIES          | 3,644,955.19               | 98,905.20              | 434,548.49             | <b>3,309,311.90</b>         | 926,530.63                  |
| PARKING                   | 103,308.37                 | 180,776.98             | 237,445.87             | <b>46,639.48</b>            | 157,617.79                  |
| CAPITAL PROJECTS          | 61,493,880.96              | 296,956.38             | 1,261,896.77           | <b>60,528,940.57</b>        | 33,493,064.15               |
| CONFERENCE CENTER         | 4,221,663.68               | 29,888.92              | 9,227.46               | <b>4,242,325.14</b>         | 4,479,214.58                |
| RKE VALLEY DETENTION COMM | 2,606.00                   | 0.00                   | 0.00                   | <b>2,606.00</b>             | 4,320,001.04                |
| DEBT SERVICE              | 14,256,133.25              | 15,969.24              | 6,188,462.94           | <b>8,083,639.55</b>         | 11,546,482.53               |
| DEPT OF TECHNOLOGY        | 5,208,867.00               | 189,365.97             | 193,258.61             | <b>5,204,974.36</b>         | 4,457,223.30                |
| MATERIALS CONTROL         | 0.00                       | 0.00                   | 0.00                   | <b>0.00</b>                 | 225,413.45                  |
| FLEET MANAGEMENT          | 299,589.56                 | 976,645.83             | 475,055.11             | <b>801,180.28</b>           | 425,252.39                  |
| PAYROLL                   | (8,877,379.32)             | 10,196,500.60          | 13,110,812.48          | <b>(11,791,691.20)</b>      | (11,533,954.52)             |
| RISK MANAGEMENT           | 11,502,853.14              | 977,143.58             | 724,935.65             | <b>11,755,061.07</b>        | 12,145,710.07               |
| PENSION                   | (197,428.20)               | 2,410,478.96           | 1,358,298.93           | <b>854,751.83</b>           | 1,459,019.21                |
| SCHOOL FUND               | 10,255,952.94              | 5,887,956.15           | 2,726,470.18           | <b>13,417,438.91</b>        | 12,802,429.49               |
| SCHOOL CAPITAL PROJECTS   | 7,134,462.03               | 1,913.13               | 37,021.22              | <b>7,099,353.94</b>         | (1,062,002.67)              |
| SCHOOL FOOD SERVICE       | 191,811.77                 | 106,822.54             | 256,771.95             | <b>41,862.36</b>            | 86,841.99                   |
| FDETC                     | 20,513.83                  | 327,993.53             | 142,471.67             | <b>206,035.69</b>           | 25,230.98                   |
| GRANT                     | (307,642.58)               | 619,978.36             | 281,535.16             | <b>30,800.62</b>            | 602,763.00                  |
| <b>TOTAL</b>              | <b>\$121,969,762.25</b>    | <b>\$48,117,643.74</b> | <b>\$45,603,030.73</b> | <b>\$124,484,375.26</b>     | <b>\$90,848,241.24</b>      |

**CERTIFICATE**

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE STATEMENT OF MY ACCOUNTABILITY TO THE CITY OF ROANOKE, VIRGINIA, FOR THE FUNDS OF THE VARIOUS ACCOUNTS THEREOF FOR THE MONTH ENDED SEPTEMBER 30, 2002.  
THAT SAID FOREGOING:

**CASH:**

CASH IN HAND **\$42,151.17**  
CASH IN BANK **3,523,854.49**

**INVESTMENTS ACQUIRED FROM COMPETITIVE PROPOSALS:**

COMMERCIAL HIGH PERFORMANCE MONEY MARKET **9,963,381.50**  
LOCAL GOVERNMENT INVESTMENT POOL **27,063,392.94**  
MONEY MANAGEMENT ACCOUNT **10,253,880.93**  
REPURCHASE AGREEMENTS **10,000,000.00**  
U. S. AGENCIES **9,856,361.11**  
VIRGINIA AIM PROGRAM (U. S. SECURITIES) **53,781,353.12**  
**TOTAL** **\$124,484,375.26**

DATE: OCTOBER 14, 2002

  
DAVID C. ANDERSON, TREASURER

**CITY OF ROANOKE PENSION PLAN  
STATEMENT OF CHANGES IN PLAN NET ASSETS  
FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2002**

|  | <u>FY 2003</u>              | <u>FY 2002</u>              |
|--|-----------------------------|-----------------------------|
| <b><u>Additions:</u></b>                                     |                             |                             |
| Employer Contributions                                       | \$ 850,603                  | \$ 756,208                  |
| Investment Income  |                             |                             |
| Net Appreciation (Depreciation) in Fair Value of Investments | (30,324,846)                | (25,490,840)                |
| Interest and Dividend Income                                 | 325,597                     | 488,676                     |
| Total Investment Income (Loss)                               | (29,999,249)                | (25,002,164)                |
| Less Investment Expense                                      | (81,353) (1)                | (91,963) (1)                |
| Net Investment Income (Loss)                                 | (29,917,896)                | (24,910,201)                |
| Total Additions (Deductions)                                 | <u>\$ (29,067,293)</u>      | <u>\$ (24,153,993)</u>      |
| <br><b><u>Deductions</u></b>                                 |                             |                             |
| Benefits Paid to Participants                                | \$ 4,069,462                | \$ 3,628,045                |
| Administrative Expenses                                      | 15,652                      | 9,305                       |
| Total Deductions   | <u>4,085,114</u>            | <u>3,637,350</u>            |
| Net Increase (Decrease)                                      | <b>(33,152,407)</b>         | <b>(27,791,343)</b>         |
| <br><b>Net Assets Held in Trust for Pension Benefits:</b>    |                             |                             |
| Fund Balance July 1  | 289,534,315                 | 326,337,980                 |
| Fund Balance September 30                                    | <u><u>\$256,381,908</u></u> | <u><u>\$298,546,637</u></u> |

(1) Negative amounts reflect the reversal of accrual accounting entries made for fiscal year-end financial reporting purposes.

**CITY OF ROANOKE PENSION PLAN  
BALANCE SHEET  
SEPTEMBER 30, 2002**

|  | <u>FY 2003</u>               | <u>FY 2002</u>               |
|--|------------------------------|------------------------------|
| <b><u>Assets</u></b>                           |                              |                              |
| Cash   | \$ 854,337                   | \$ 1,458,869                 |
| Investments, at Fair Value                     | 256,878,592                  | 298,284,750                  |
| Due from Other Funds                           | 1,590                        | 4,836                        |
| Other Assets                                   | <u>5,785</u>                 | <u>5,434</u>                 |
| <b>Total Assets</b>                            | <b><u>\$ 257,740,304</u></b> | <b><u>\$ 299,753,889</u></b> |
| <br><b><u>Liabilities and Fund Balance</u></b> |                              |                              |
| Liabilities:                                   |                              |                              |
| Due to Other Funds                             | \$ 1,350,517                 | \$ 1,206,330                 |
| Accounts Payable                               | <u>7,879</u>                 | <u>922</u>                   |
| <b>Total Liabilities</b>                       | <u>1,358,396</u>             | <u>1,207,252</u>             |
| Fund Balance:                                  |                              |                              |
| Fund Balance, July 1                           | 289,534,315                  | 326,337,980                  |
| Net Gain (Loss) - Year to Date                 | <u>(33,152,407)</u>          | <u>(27,791,343)</u>          |
| <b>Total Fund Balance</b>                      | <u>256,381,908</u>           | <u>298,546,637</u>           |
| <b>Total Liabilities and Fund Balance</b>      | <b><u>\$ 257,740,304</u></b> | <b><u>\$ 299,753,889</u></b> |

October 30, 2002

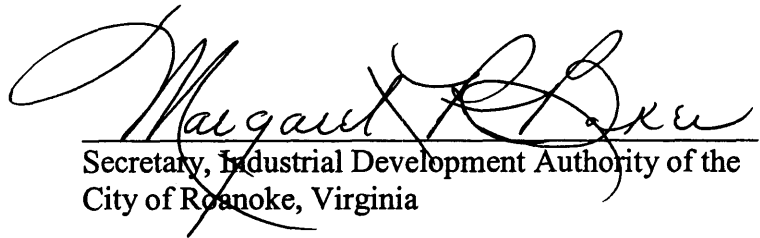
City Council  
City of Roanoke, Virginia  
215 Church Avenue  
Roanoke, Virginia 24011

Industrial Development Authority of the City of Roanoke, Virginia  
Proposed Financing for Virginia Lutheran Homes, Inc., and/or its affiliate

Virginia Lutheran Homes, Inc., a Virginia non-stock, non-profit corporation, and/or its affiliate (the "Borrower"), has requested that the Industrial Development Authority of the City of Roanoke, Virginia ("Authority") issue up to \$26,500,000 of its revenue bonds ("Bonds") at one time or from time to time to assist the Borrower in financing or refinancing the following: (1) the refunding of all or a portion of the Authority's \$22,875,000 Residential Care Facility Mortgage Revenue Refunding Bonds (Virginia Lutheran Homes), Series 1997, which were issued to refund the outstanding balance of the Authority's \$25,155,000 Residential Care Facility First Mortgage Revenue Bonds (Virginia Lutheran Homes Project), Series 1991, the proceeds of which were used to assist the Borrower in financing or refinancing (a) the costs of acquiring, constructing and equipping a residential care facility of independent living units and a personal care facility ("Personal Care Center") for the aged in the City of Roanoke, Virginia, known as Brandon Oaks, owned and operated by the Borrower and located at 3804 Brandon Avenue, Roanoke, Virginia 24018, (b) existing indebtedness of the Borrower relating to the construction and subsequent expansion of and improvements to an existing nursing care facility adjacent to and interconnected with the Personal Care Center and also owned and operated by the Borrower ("Health Center"), and (c) the costs of certain improvements and additions to the Health Center, (2) the acquisition, construction, renovation and equipping of a nursing home facility located at 3837 Brandon Avenue, Roanoke, Virginia 24018 and (3) amounts required to fund a debt service reserve fund and to pay costs of issuance and other expenses in connection with the issuance of the bonds.

As set forth in the resolution of the Authority attached hereto ("Resolution"), the Authority has agreed to issue its Bonds as requested. The Authority has conducted a public hearing and has recommended that you approve the issuance of the Bonds as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 15.2-4906 of the Code of Virginia of 1950, as amended.

Attached hereto is (1) a certificate evidencing the conduct of the public hearing and the action taken by the Authority, (2) the Fiscal Impact Statement required pursuant to Virginia Code Section 15.2-4907, and (3) the form of resolution suggested by counsel to evidence your approval.



Margaret R. Baker  
Secretary, Industrial Development Authority of the  
City of Roanoke, Virginia

## **CERTIFICATE**

The undersigned Secretary of the Industrial Development Authority of the City of Roanoke, Virginia ("Authority") certifies as follows:

1. A meeting of the Authority was duly called and held on October 30, 2002, at 8:00 o'clock a.m. in the Economic Development Conference Room, in the Office of Economic Development of the City of Roanoke, located at 111 Franklin Plaza, Suite 200, Roanoke, Virginia 24011, pursuant to proper notice given to each Director of the Authority before such meeting. The meeting was open to the public. The time of the meeting and the place at which the meeting was held provided a reasonable opportunity for persons of differing views to appear and be heard.


2. The Chairman announced the commencement of a public hearing on the application of Virginia Lutheran Homes, Inc., a not-for-profit Virginia nonstock corporation, and/or its affiliate, and that a notice of the hearing was published once a week for two successive weeks in a newspaper having general circulation in the City of Roanoke, Virginia, (the "Notice"), with the second publication appearing not less than seven days nor more than twenty-one days prior to the hearing date. A copy of the Notice has been filed with the minutes of the Authority and is attached as Exhibit A.

3. A summary of the statements made at the public hearing is attached as Exhibit B.

4. Attached as Exhibit C is a true, correct and complete copy of a resolution ("Resolution") adopted at such meeting of the Authority by a majority of the Directors present at such meeting. The Resolution constitutes all formal action taken by the Authority at such meeting relating to matters referred to in the Resolution. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on this date.

WITNESS my hand and the seal of the Authority, this 30th day of October, 2002.

[SEAL]

  
Secretary, Industrial Development Authority  
of the City of Roanoke, Virginia

Exhibits:

- A - Copy of Certified Notice from Newspaper
- B - Summary of Statements
- C - Public Hearing Resolution

The Roanoke Times  
Roanoke, Virginia  
Affidavit of Publication

EXHIBIT A

The Roanoke Times

C. HENDREN, MCGUIRE WOODS  
901 EAST CARY ST.  
1 JAMES CENTER  
RICHMOND VA 23219

REFERENCE: 80041380  
02007112 IDA

State of Virginia  
City of Roanoke

I, (the undersigned) an authorized representative of the Times-World Corporation, which corporation is publisher of the Roanoke Times, a daily newspaper published in Roanoke, in the State of Virginia, do certify that the annexed notice was published in said newspapers on the following dates:

City/County of Roanoke, Commonwealth/State of Virginia. Sworn and subscribed before me this 24th day of October 2002. Witness my hand and official seal.

Denise P. Stafford Notary Public  
My commission expires 9-30-05

PUBLISHED ON: 10/16 10/23

TOTAL COST: 579.60  
FILED ON: 10/24/02

Authorized  
Signature: DS

Billing Services Representative

NOTICE OF PUBLIC HEARING  
ON PROPOSED  
REVENUE BOND FINANCING BY  
INDUSTRIAL DEVELOPMENT  
AUTHORITY OF  
THE CITY OF ROANOKE,  
VIRGINIA

Notice is hereby given that the Industrial Development Authority of the City of Roanoke, Virginia ("Authority") will hold a public hearing on the application of Virginia Lutheran Homes, Inc., a not-for-profit Virginia nonstock corporation, and/or its affiliate, (collectively, "Borrower"), requesting the Authority to issue up to \$26,500,000 of its revenue bonds, in one or more series from time to time, to be used to finance or refinance (1) the refunding of all or a portion of the Authority's \$22,875,000 Residential Care Facility Mortgage Revenue Refunding Bonds (Virginia Lutheran Homes), Series 1997, which were issued to refund the outstanding balance of the Authority's \$25,155,000 Residential Care Facility First Mortgage Revenue Bonds (Virginia Lutheran Homes Project), Series 1991, the proceeds of which were used to assist the Borrower in financing or refinancing (a) the costs of acquiring, constructing and equipping a residential care facility of independent living units and a personal care facility ("Personal Care Center") for the aged in the City of Roanoke, Virginia, known as Brandon Oaks, owned and operated by the Borrower and located at 3804 Brandon Avenue, Roanoke, Virginia 24018, (b) existing indebtedness of the Borrower relating to the construction and subsequent expansion of and improvements to an existing nursing care facility adjacent to and interconnected with the Personal Care Center and also

owned and operated by the Borrower ("Health Center"), and (c) the costs of certain improvements and additions to the Health Center, (2) the acquisition, construction, equipping and renovation of an existing nursing home facility located at 3837 Brandon Avenue, Roanoke, Virginia 24018 and (3) amounts required to fund a debt service reserve fund and to pay costs of issuance and other expenses in connection with the issuance of the bonds.

The issuance of revenue bonds as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or the City of Roanoke, Virginia, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof will be pledged to the payment of such bonds.

The public hearing, which may be continued or adjourned, will be held at 8:00 o'clock a.m. on October 30, 2002, before the Authority, in the Economic Development Conference Room in the Office of Economic Development of the City of Roanoke, located at 111 Franklin Plaza, Suite 200, Roanoke, Virginia 24011. Any person interested in the issuance of the bonds or the location or nature of the proposed project may appear at the hearing and present his or her views. Information regarding the Borrower's application is on file and is open for inspection at the Authority's office 111 Franklin Plaza, Suite 200, Roanoke Virginia 24011, during business hours.

Industrial Development  
Authority of the City of  
Roanoke, Virginia

(2007112)

## **EXHIBIT B**

### **Summary of Statements**

Representatives of Virginia Lutheran Homes, Inc. appeared before the Authority to explain the proposed project. No one appeared in opposition to the proposed bond issue.

**RESOLUTION OF THE INDUSTRIAL DEVELOPMENT AUTHORITY  
OF THE CITY OF ROANOKE, VIRGINIA  
AUTHORIZING THE ISSUANCE OF UP TO \$26,500,000 REVENUE BONDS  
FOR THE BENEFIT OF  
VIRGINIA LUTHERAN HOMES, INC. AND/OR ITS AFFILIATE**

The Industrial Development Authority of the City of Roanoke, Virginia, a political subdivision of the Commonwealth of Virginia ("Authority"), is empowered by the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended ("Act"), to issue its revenue bonds for the purpose of assisting in the acquisition, construction, renovation, equipping and refinancing of facilities for the residence or care of the aged in order to provide modern and efficient services to them, in accordance with their special needs.

The Authority has received a request from Virginia Lutheran Homes, Inc., a Virginia non-stock, non-profit corporation, and/or its affiliate (the "Borrower"), requesting that the Authority issue its revenue bonds at one time or from time to time to assist the Borrower in financing or refinancing the following (collectively, "Project"): (1) the refunding of all or a portion of the Authority's \$22,875,000 Residential Care Facility Mortgage Revenue Refunding Bonds (Virginia Lutheran Homes), Series 1997, which were issued to refund the outstanding balance of the Authority's \$25,155,000 Residential Care Facility First Mortgage Revenue Bonds (Virginia Lutheran Homes Project), Series 1991, the proceeds of which were used to assist the Borrower in financing or refinancing (a) the costs of acquiring, constructing and equipping a residential care facility of independent living units and a personal care facility ("Personal Care Center") for the aged in the City of Roanoke, Virginia, known as Brandon Oaks, owned and operated by the Borrower and located at 3804 Brandon Avenue, Roanoke, Virginia 24018, (b) existing indebtedness of the Borrower relating to the construction and subsequent expansion of and improvements to an existing nursing care facility adjacent to and interconnected with the Personal Care Center and also owned and operated by the Borrower ("Health Center"), and (c) the costs of certain improvements and additions to the Health Center, (2) the acquisition, construction, renovation and equipping of a nursing home facility located at 3837 Brandon Avenue, Roanoke, Virginia 24018 and (3) amounts required to fund a debt service reserve fund and to pay costs of issuance and other expenses in connection with the issuance of the bonds.

Such assistance will benefit the inhabitants of the City of Roanoke, Virginia and the Commonwealth of Virginia either through the increase in their commerce or through the promotion of their safety, health, welfare, convenience or prosperity.

Preliminary plans for the Project have been described to the Authority, and a public hearing has been held as required by Section 147(f) of the Internal Revenue Code of 1986, as amended ("Code"), and Section 15.2-4906 of the Act.

The Borrower has represented that the Project will require an issue of revenue bonds in an aggregate principal amount not to exceed \$26,500,000.

No member of the Board of Directors of the Authority is an officer or employee of the City of Roanoke, Virginia; each member has, before entering upon his duties during his or her present term of office, taken and subscribed to the oath prescribed by Section 49-1 of the Code of Virginia of 1950, as amended; and at the time of their appointments and at all times thereafter, including the date hereof, all of the members of the Board of Directors of the Authority have satisfied the residency requirements of the Act.

No member of the Board of Directors of the Authority has any personal interest or business interest in the Borrower, the bonds, or any of the transactions contemplated therein or has otherwise engaged in conduct prohibited under the Conflict of Interests Act, Chapter 40.1, Title 2.1 of the Code of Virginia of 1950, as amended in connection with this resolution or any other official action of the Authority in connection therewith.

NOW, THEREFORE, IT IS RESOLVED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF ROANOKE, VIRGINIA:

1. It is hereby found and determined that the financing and refinancing of the Project will be in the public interest and will promote the commerce, safety, health, welfare, convenience or prosperity of the Commonwealth of Virginia, the City of Roanoke, Virginia and their citizens.

2. The Authority hereby agrees to assist the Borrower in the Project by undertaking the issuance of its revenue bonds in an amount not to exceed \$26,500,000 upon terms and conditions mutually agreeable to the Authority and the Borrower. The bonds will be issued pursuant to documents satisfactory to the Authority. The bonds may be issued in one or more series at one time or from time to time.

3. At the request of the Borrowers the Authority approves McGuireWoods LLP as Bond Counsel in connection with the issuance of the bonds.

4. All costs and expenses in connection with the Project, including the fees and expenses of Bond Counsel and Authority counsel, shall be paid by the Borrower or, to the extent permitted by applicable law, from the proceeds of the bonds. If for any reason such bonds are not issued, it is understood that all such expenses shall be paid by the Borrower and that the Authority shall have no responsibility therefor.

5. The Authority recommends that the City Council of the City of Roanoke, Virginia, approve the issuance of the bonds. No bonds may be issued pursuant to this resolution until such time as the issuance of the bonds has been approved by such City Council.

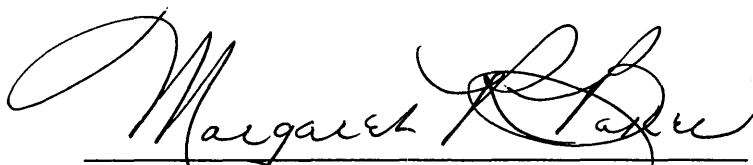
6. This resolution shall take effect immediately upon its adoption.

## CERTIFICATE

The undersigned Secretary of the Industrial Development Authority of the City of Roanoke, Virginia ("Authority") certifies that the foregoing is a true, correct and complete copy of a resolution adopted by a majority of the Directors of the Authority present and voting at a meeting duly called and held on October 30, 2002, in accordance with law, and that such resolution has not been repealed, revoked, rescinded or amended but is in full force and effect on this date.

WITNESS the following signature and seal of the Authority, this 30<sup>th</sup> day of October, 2002.

[SEAL]

  
Secretary, Industrial Development Authority of the  
City of Roanoke, Virginia

## FISCAL IMPACT STATEMENT FOR PROPOSED BOND FINANCING


Date: October 30, 2002

To the City Council  
of the City of Roanoke, Virginia

Applicant: Virginia Lutheran Homes, Inc. and/or its affiliate

Facility: Refunding existing tax-exempt indebtedness for residential care facility for the aged

- |    |   |              |
|----|---|--------------|
| 1. | Maximum amount of financing sought.   | \$26,500,000 |
| 2. | Estimated taxable value of the facility's real property to be constructed in the locality.                              | \$0*         |
| 3. | Estimated real property tax per year using present tax rates.   | \$8,000      |
| 4. | Estimated personal property tax per year using present tax rates.   | N/A          |
| 5. | Estimated merchants' capital tax per year using present tax rates.  | N/A          |
| 6. | (a) Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality.        | \$500,000    |
|    | (b) Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality.    | \$250,000    |
|    | (c) Estimated dollar value per year of services that will be purchased from Virginia companies within the locality.     | \$1,250,000  |
|    | (d) Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality. | \$150,000    |
| 7. | Estimated number of regular employees on year round basis.  | 220          |
| 8. | Average annual salary per employee.   | \$14,485     |

  
\_\_\_\_\_  
Chairman, Industrial Development Authority of the City  
of Roanoke, Virginia

---

\* No new construction pursuant to this financing; estimated taxable value of real property already existing is \$20,000,000.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION approving the issuance of up to \$26,500,000 in Revenue Bonds of the Industrial Development Authority of the City of Roanoke, Virginia (the "Authority") to finance or refinance (1) all or a portion of the Authority's \$22,875,000 Residential Care Facility Mortgage Revenue Refunding Bonds (Virginia Lutheran Homes), Series 1997, (2) amounts required to fund a debt service reserve fund and pay costs of issuance and other expenses in connection with the issuance of the Bonds (3) the financing or the refinancing of approximately \$3,500,000 for the recent acquisition and current renovation of a nursing home facility located at 3837 Brandon Avenue, Roanoke, Virginia 24018

The Industrial Development Authority of the City of Roanoke, Virginia ("Authority") has considered the application of Virginia Lutheran Homes, Inc., a Virginia non-stock, non-profit corporation and/or its affiliate (the "Borrower"), requesting the issuance of the Authority's revenue bonds in an amount not to exceed \$26,500,000 ("Bonds") to be issued at one time or from time to time to assist the Borrower in financing or refinancing the following (collectively, "Project"): (1) the refunding of all or a portion of the Authority's \$22,875,000 Residential Care Facility Mortgage Revenue Refunding Bonds (Virginia Lutheran Homes), Series 1997, which were issued to refund the outstanding balance of the Authority's \$25,155,000 Residential Care Facility First Mortgage Revenue Bonds (Virginia Lutheran Homes Project), Series 1991, the proceeds of which were used to assist the Borrower in financing or refinancing (a) the costs of acquiring, constructing and equipping a residential care facility of independent living units and a personal care facility ("Personal Care Center") for the aged in the City of Roanoke, Virginia, known as Brandon Oaks, owned and operated by the Borrower and located at 3804 Brandon Avenue, Roanoke, Virginia 24018, (b) existing indebtedness of the Borrower relating to the construction and subsequent expansion of and improvements to an existing nursing care facility adjacent to and interconnected with the Personal Care Center and also owned and operated by the Borrower ("Health Center"), and (c) the costs of certain improvements and additions to the Health Center, (2) the acquisition, construction, renovation and equipping of a nursing home facility located at 3837 Brandon Avenue, Roanoke, Virginia 24018 and (3) amounts required to fund a debt service reserve fund and to pay costs of issuance and other expenses in connection with the issuance of the bonds.

The Authority held a public hearing on the Borrower's application on October 30, 2002, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended ("Code"), and Section 15.2-4906 of the Code of Virginia of 1950, as amended ("Virginia Code"). Section 147(f) of the Code also provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds.

The Authority issues its bonds on behalf of the City of Roanoke, Virginia ("City"); the Project is located in the City; and the City Council of the City of Roanoke, Virginia ("Council") constitutes the highest elected governmental unit of the City.

The Authority has recommended that the Council approve the issuance of the Bonds.

A copy of the Authority's resolution approving the issuance of the Bonds, subject to the terms to be agreed upon, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Council.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROANOKE, VIRGINIA:

1. The Council approves (i) the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code.

2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Borrower.

3. This resolution shall take effect immediately upon its adoption.

Adopted by the City Council of the City of Roanoke, Virginia this 4<sup>th</sup> day of November, 2002.

ATTEST:

[SEAL]

---

Clerk, City Council of the City of Roanoke,  
Virginia

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining §36.1-393, Standards for new construction, of Subdivision G, ND, Neighborhood Design District, of Division 5, Special District Regulations, of Article III, District Regulations; amending §36.1-403, Front yard requirements for infill developments, of Division 1, Generally, of Article IV, Supplementary Regulations; and amending and reordaining subsection (c) of §36.1-428, General standards, of Division 2, Off-Street Parking and Loading Requirements, of Article IV, Supplementary Regulations, of the Code of the City of Roanoke (1979), as amended, to provide standards for a new dwelling, new accessory building or expansion of an existing dwelling in the ND district; establishing the depth of front yards; and to provide parking in the ND district; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Section 36.1-393, Standards for new construction, of Subdivision G, ND, Neighborhood Design District, of Division 5, Special District Regulations, of Article III, District Regulations, §36.1-403, Front Yard requirements for infill developments, of Division I, Generally, of Article IV, Supplementary Regulations, and subsection (c) of §36.1-428, General standards, of Division 2, Off-Street Parking and Loading Requirements, of Article IV, Supplementary Regulations, of the Code of the City of Roanoke (1979), as amended, are hereby amended and reordained to read and provide as follows:

Sec. 36.1-393. Standards for new construction.

In considering an application for a zoning permit, the zoning administrator shall apply the following standards for a new dwelling, a new accessory building that is accessory to a dwelling, and expansion of an existing dwelling in the ND district:

(a) Building location and massing.

- (1) The required front yard shall be determined by Section 36.1-403. A new dwelling shall be located five (5) feet or less from the required front yard.
- (2) A new dwelling shall have two stories where lots on both sides have two-story dwellings. A new dwelling shall have one story where lots on both sides have one-story dwellings. Where no dwelling exists on either or one side, the number of stories shall be the same as the majority of dwellings on the same side of the same block. For the purposes of this section, a story shall be a finished floor level with at least five hundred (500) square feet that is at or above the grade of the front yard.
- (3) The width of single- and two-family dwellings shall be within ten (10) percent of the average of the widths of other single- and two-family dwellings on the same side of the same block. The front of multifamily dwellings shall be broken into sections of thirty (30) feet or less in width through offsets of the vertical plane of the facade of at least twelve (12) inches.
- (4) The foundation height shall be aligned with the foundation heights of dwellings on the adjoining lots or, where there are no dwellings on adjoining lots, with the majority of dwellings on the same side of the same block.

(b) Roofs.

- (1) The rise-to-run ratio for the dwelling's main roof shall be 6:12 or steeper.
- (2) The dwelling's main roof form shall have a complex roof form such as a hipped, intersecting, offset, or dormered roof, except where the gable faces the street and the roof covers a full-width porch, in which case the roof may have a simple two-surface configuration.
- (3) Eave and gable overhangs for all dwellings and additions to dwellings shall be at least twelve (12) inches.

- (4) The rise-to-run ratio of roofs covering porches or entrances shall be 4:12 or shallower.
  - (5) Above-grade entrances on the front or side of dwelling shall be covered with a roof with a minimum width and depth of thirty-six (36) inches.
- (c) Entrances and windows.
- (1) The dwelling shall have at least one entrance facing the primary front yard. The number of doors facing the primary front yard shall be limited to one door for every twenty (20) feet of dwelling width. A second entrance facing the primary front yard may be included on a side of a single- or two-family dwelling if recessed at least six (6) feet behind the main front entrance.
  - (2) Doors facing a street shall have panel insets or windows.
  - (3) At least fifteen (15) percent of the front of the dwelling shall consist of window or door openings. At least ten (10) percent of the side of a dwelling which is not the front of the dwelling and which faces a street shall consist of window or door openings. Roofs, gables, and foundations shall not be included in determining the area of the front or the side of the dwelling.
  - (4) Windows on the front facade shall have a height that is at least one and one-half (1½) times their width.
  - (5) Windows on the front of the dwelling shall be arranged in a manner that is compatible with that of other dwellings in the district. In general, windows on separate stories of the front should be vertically aligned and windows on the same story should be horizontally aligned.
  - (6) All stairs shall have solid risers.
  - (7) A sidewalk at least four (4) feet in width shall be provided between the front porch and the street. The sidewalk shall be constructed of an impervious material customarily used for sidewalks in the district.
- (d) Siding and trim.
- (1) The siding of any dwelling or accessory structure, exclusive of trim materials, shall not be vertically oriented.

- (2) Windows and doors shall be surrounded by trim which is at least three and one-half (3½) inches wide, except for dwellings with masonry siding, in which case no trim around doors or windows is required.
  - (3) Vertical corner boards at least three and one-half (3½) inches wide shall be provided on all dwelling corners, except where the siding material is brick or stucco.
  - (4) All wooden elements of the dwelling shall be painted or be stained with an opaque stain.
- (e) Porches.
- (1) Single- and two-family dwellings shall have a covered porch at least one-half (1/2) the width of the dwelling's facade with a depth of at least six (6) feet. The porch shall face the primary front yard.
  - (2) For new and existing dwellings, the front porch shall not be enclosed with siding.
  - (3) Front porch railings shall have a top and bottom rail. Baluster ends shall not be exposed.
  - (4) Porch columns shall be uniform in shape and style and shall be at least five and one-half (5½) inches wide at their bottom and top.
  - (5) The underside of porches between pier supports and the underside of exterior stairways shall be enclosed.
- (f) Additions and accessory structures.
- (1) Detached accessory buildings, including garages and carports, shall be located behind the back of the dwelling.
  - (2) An attached garage or carport shall be offset at least twenty-four (24) inches behind the front facade of the dwelling. The bay door of an attached garage shall not face the primary front yard.
  - (3) An addition to an existing dwelling shall be located on the rear or side of the dwelling, except a porch may be added to the front of the dwelling. An addition to the side of a dwelling shall be set back from the dwelling's front face by twenty-four (24) inches or more.

\* \* \*

Sec. 36.1-403. Front yard requirements for infill developments.

The required front yard depth shall be equal to the shallowest of the adjoining front yards of the minimum front yard depth required for the district, whichever is shallower. Where there are no buildings on adjoining lots, the required front yard shall equal the shallowest front yard on the block face. The zoning administrator may require a greater yard depth for reasons of public safety, proposed road improvements, or consistency with the overall building line along the street.

\* \* \*

Sec. 36.1-428. General standards.

\* \* \*

(6) Special provisions for parking in the ND district:

Notwithstanding the regulations regarding parking requirements and general location, design, and layout of parking, the following shall apply to new dwellings constructed in the ND district:

- (a) The total number of required off-street parking spaces may be reduced by one (1) space for every twenty (20) feet of lot frontage.
- (b) Off-street parking, if provided, shall be located to the rear or side of the principal building.
- (c) Parking spaces may be located directly adjacent to an alley. Where an alley provides access to the rear of the property, alley access to parking and garages is encouraged.
- (d) Any driveway located in the front yard shall be located to one side of the dwelling and shall be paved with asphalt, concrete, brick or stone pavers.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet Nos. 212, 213, 222, 223, 224, 232, 233, 234, 235, 236, 242, 243 and 245, Sectional 1976 Zone Map, City of Roanoke, to designate certain property within the City as ND, Neighborhood Design District; and dispensing with the second reading of this ordinance by title.

WHEREAS, the City Administration has proposed that the hereinafter described property be designated with the zoning overlay designation of ND, Neighborhood Design District; and

WHEREAS, the City Planning Commission, after giving proper legal notice, and after conducting a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held by City Council on said application at its meeting on October 15, 2002, after due and timely notice thereof as required by §36.1-693, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were given an opportunity to be heard, both for and against the proposed overlay designation; and

WHEREAS, this Council, after considering the aforesaid recommendation made to Council by the Planning Commission, the City's Comprehensive Plan, and the matters

presented at the public hearing, is of the opinion that the parcels contained within the boundary as described below should be designated with the zoning overlay designation of ND, Neighborhood Design District, as herein provided.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet Nos. 212, 213, 222, 223, 224, 232, 233, 234, 235, 236, 242, 243 and 245 of the Sectional 1976 Zone Map, City of Roanoke, be amended so that those certain properties contained within the boundary described as follows: the beginning point being located at the intersection of the northern right-of-way line of Grayson Avenue, NW, and the western right-of-way line of 10<sup>th</sup> Street, NW, and proceeding north along the western right-of-way line of 10<sup>th</sup> Street, NW, to its intersection with the southern right-of-way line of Andrews Road, NW; then proceeding west along the southern right-of-way line of Andrews Road, NW, to its intersection with the property line of tax parcel 2240102, and proceeding along the northern property line of said parcel for its entire length; then continuing north along the northern property line of tax parcel 2240201, across Norris Drive, NW, and along the northern property line of tax parcels 2240111, 2241229, and 2360101, to its intersection with the southwestern right-of-way line of Interstate 581; then proceeding northwest along the southwestern right-of-way line of Interstate 581, to a point of intersection with the western property line of tax parcel 2360101; then proceeding south along the western property line of tax parcels 2360101, 2350101, 2350103, and 2350105, to a point of intersection with the northern property line of tax parcel 2350503; then proceeding west along the northern

property line of tax parcel 2350503, across Leon Street, NW, and along the northern property line of tax parcels 2350413, 2350412, 2350411, 2350410, 2350409, 2350408, and 2350401, to a point of intersection with the southern right-of-way line of Sherman Drive, NW; then proceeding west along the southern right-of-way line of Sherman Drive, NW, to its intersection with the eastern right-of-way line of Cove Road, NW; then proceeding north along the eastern right-of-way line of Cove Road, NW, to its intersection with the eastern right-of-way line of Lafayette Boulevard, NW; then proceeding south along the eastern right-of-way line of Lafayette Boulevard, NW, to its intersection with the northern right-of-way line of Melrose Avenue, NW; then proceeding east along the northern right-of-way line of Melrose Avenue, NW, to its intersection with the southeastern right-of-way line of Salem Turnpike, NW; then proceeding northeast along the southeastern right-of-way line of Salem Turnpike to a point of intersection with the southern property line of tax parcel 2321904, and proceeding east along said southern property line; then proceeding across 20<sup>th</sup> Street, NW; then including tax parcels 2322001, and 2322002 in their entirety; then across 19<sup>th</sup> Street, NW; then proceeding east along the southern property line of tax parcels 2322101, 2322102, 2322103, 2322104, 2322105, 2322106, 2322107, and 2322108; then across 18<sup>th</sup> Street, NW; then proceeding east along the southern property line of tax parcels 2221501, 2221502, 2221503, 2221504, 2221505, 2221506, 2221507, and 2221508; then across 17<sup>th</sup> Street, NW; then proceeding east along the southern property line of tax parcels 2221601 and 2221607; then crossing 16<sup>th</sup> Street, NW; then proceeding east along the southern property line of tax parcels 2211701, 2211702, 2211703, 2211704, 2211705, 2211706, 2211707, and 2211708;

then crossing 15<sup>th</sup> Street, NW; then proceeding east along the southern property line of tax parcels 2221801, 2221802, 2221803, 2221804, 2221805, 2221806, 2221807, and 2221808; then crossing 14<sup>th</sup> Street, NW; then proceeding east along the southern property line of tax parcels 2221901, 2221902, 2221903, 2221904, 2221905, 2221906, 2221907, and 2221908; then crossing 13<sup>th</sup> Street, NW; then proceeding east along the southern property line of tax parcels 2222001, 2222002, 2222003, 2222004, 2222005, 2222006, and 2222009; then crossing 12<sup>th</sup> Street, NW; then proceeding east along the southern property line of tax parcels 2222104, 2222105, 2222106, 2222107, and 2222110; then crossing 11<sup>th</sup> Street, NW; then proceeding east along the southern property line of tax parcel 2120801 to its intersection with the western right-of-way line of 10<sup>th</sup> Street, NW; then proceeding north along the western right-of-way line of 10<sup>th</sup> Street, NW, to its intersection with the northern right-of-way line of Grayson Avenue, NW, the point of beginning, be and are hereby designated ND, Neighborhood Design District, and that Sheet Nos. 212, 213, 222, 223, 224, 232, 233, 234, 235, 236, 242, 243 and 245 of the Zone Map be changed in this respect.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.